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3 Durant, Henry.

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4 Gordon, George C.

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5 Delmas, D. M.

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6 Sumner, Charles A.

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7 Beecher, Rev. Father.

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8 Stanford, Hon Leland.

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9 Davis, Horace.

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10 Ester, Morris M.

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11 White, Stephen M.

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12 White, Stephen M.

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Map of the Central Pacific railroad and
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13 Sumner, Charles A.

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Railroad map of California, issued by
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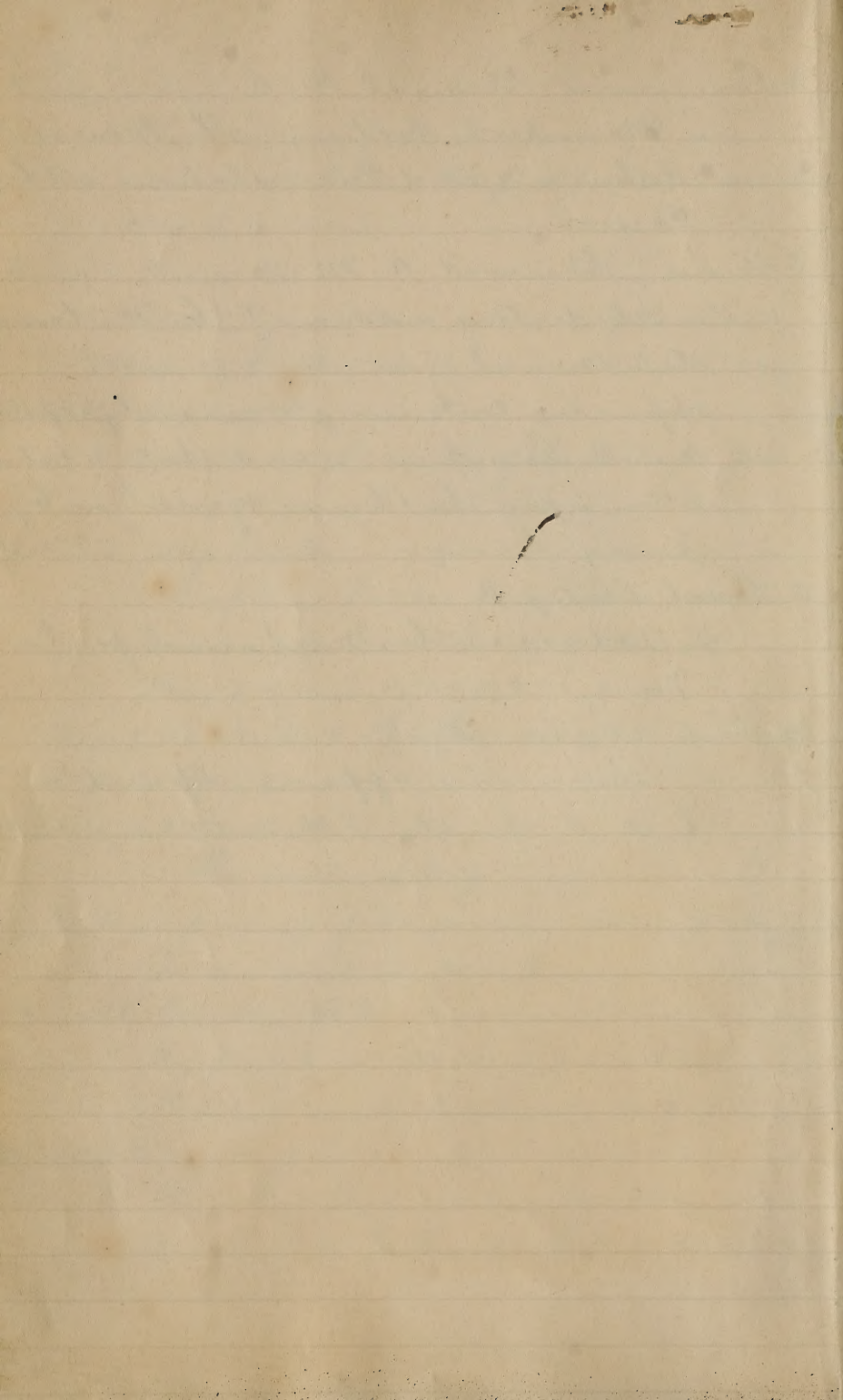
14 Leith, Rev. Dr., W. A.

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- 16 Rosecrans, General W. D.
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- 17 Winn, General A. M.
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- 18 Roach, Philip A.
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- 19 White, Stephen M.
Hawaiian affairs. Speech in the U. S. Senate, Feb. 21, 1894.



11802
SPEECH

OF



HON. MILTON S. LATHAM,
OF CALIFORNIA,

ON THE

BILL TO ESTABLISH A LINE OF MAIL STEAMSHIPS BETWEEN SAN FRAN-
CISCO AND SHANGHAE, CHINA, TOUCHING AT THE
SANDWICH ISLANDS AND JAPAN.

DELIVERED

IN THE HOUSE OF REPRESENTATIVES,

TUESDAY, JANUARY 9, 1855.

WASHINGTON:

PRINTED AT THE CONGRESSIONAL GLOBE OFFICE.





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JOHN M. WATSON & SONS

OF CALIFORNIA

THE CALIFORNIA STATE ARCHIVES
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RECEIVED

STEAMSHIPS TO CHINA.

The House being in the Committee of the Whole on the state of the Union, Mr. ORR, of South Carolina, in the chair—

Mr. LATHAM obtained the floor, and said:

Mr. CHAIRMAN: I rise to say a few words upon a subject of interest, not only to my constituents, but, I believe, to the whole country, in favor of the bill establishing a line of mail steamships between San Francisco and Shanghai, in China, touching at the Sandwich Islands, and at Japan. I am aware that the State which I have the honor in part to represent, has been looked upon in the House, and in the Senate, as a constant applicant for legislative favors, and a tax upon the United States Treasury.

California has been represented as swallowing up a large amount of our national resources; but the question, how much the wealth and enterprise of California has added to our national prosperity and power?—which is essential to a proper appreciation of the subject—is often lost sight of, or treated merely as incidental to the problem of finance and statesmanship.

Sir, I do not speak boastfully, when I venture to assert, that the achievements of California, though they may seem to be but the work of yesterday, mark an epoch in the history of the world. The settlement of the Pacific coast by our race, the discovery and exploration of the precious metals, the rapidly increasing intercommunication between the eastern and western shores of this continent, the opening of Eastern Asia to our commerce, the emigrant trade from China, the conclusion of a commercial treaty with Japan, the gravitation of the Sandwich Islands towards our Confederacy, and the new life now springing up in Australia and the Oceanic Islands, mark as distinct an era in the human race, and must lead to as complete a revolution in the moral, religious, and political condition of mankind, as was produced, four centuries ago, by the discovery and colonization of this continent. It was the discovery of America and of the capes, which transferred the seat of trade from the Mediterranean to the Atlantic States of Europe, swallowed up the Italian Republics, and gave, first to Spain and Portugal, and subsequently to

Holland and England, the wealth and power resulting from navigation and commerce.

The discovery of America not only transferred *power* from one European State to another, but it also changed the relative condition of the people. Wealth, which at that time almost entirely consisted of lands, the exclusive possession of which, by a few nobles, furnished the basis of feudal tenures and a feudal aristocracy, found an equally potent factor in the accumulation of the precious metals, and the vast exchange of products traveling from hand to hand, which made their owners independent, rich, and powerful, without the possession of lands and tenements; diminishing, in the same ratio, the power and influence of the nobles. It gave birth to a class of wealthy merchants, navigators, and traders, to which, subsequently, were added manufacturers and handicraftsmen, who soon struggled for, and obtained, political power.

The so-called "middle classes" of Europe owe their origin almost entirely to the New World, with which history, by a single leap, passed from feudal aristocracy and slavery to the emancipation of the laborers. The conquest of India might have given Europe an oriental caste, still further subdividing classes; the discovery of America, and its gigantic colonization, opened to *all* classes a field of hardy enterprise, which invigorated both the old and the new continents. The New World gave to the Old World, first wealth and prosperity, then political regeneration, and, finally, a new social development, improving the condition of individuals.

Now, I maintain, Mr. Chairman, that the occupation and settlement of California by our own hardy pioneers is destined to have the same influence on Asia, and all the people bordering on the broad Pacific, which the discovery and settlement of the eastern shore of America had on Europe. It will produce an entire revolution in the commerce, trade, and navigation of the East, followed by a complete change in the moral, religious, and political condition of the Asiatics, with whom we shall exchange our products, our wealth, and our ideas. The changes in Europe have been the work of some eight or ten generations; but in view of the astounding development of California within less than a decade, we have every reason to hope that, with the progress of science, and the employment of such powerful agents as steam and electricity, the changes produced in the East will be so rapid, and so marked by their consequences, as to come within the sphere of our own observation, and inure to the advantage of the living. For the first time, in the history of the world, does a people of European origin—not a handful of adventurers, but a whole State, embodying all the arts of civilized life, and partaking of the highest political organization—wield power on the shores of the Pacific; for the first time does a great nation trade from shore to shore on that ocean. The road to India, which Columbus and his followers sought when they discovered America, is found. It crosses our continent; it is ours from ocean to ocean; subject to our laws, and open to our enterprise.

Never, in the history of the world, was there a greater mission intrusted to a more youthful and energetic people, combining in so eminent a degree the patience and endurance of the agriculturist, with the venturesome spirit of the merchant, and the martial daring of the soldier. Unity of race, language, and

organization, give momentum to our will, and effect and consequence to our acts. In less than a century we have risen from a handful of colonists to a great independent nation, taking rank with the proudest on earth; showing a law of progress and a series of improvements, the ultimate term of which dazzles the imagination. In this *law* of progress, in this *series* of improvements, we have reached, settled, and fructified California. We have, with its treasures, animated the commerce of the world, stimulated enterprise, and given a fresh impetus and new direction to the stream of European immigration to this country. If the growth of Europe has astonished and stupefied Europe, the unprecedented development of the wealth and magnificence of California has surprised and dazzled even the United States. Accustomed, as we are, to view, with comparative indifference, the unexampled history of our eastern and western States, we still lack the standard of comparison to measure the quickening process of wealth and power exhibited in our new empire on the Pacific. If it was the most daring and enterprising Europeans who came to settle on our Atlantic shores, those who now emigrate from the Atlantic to the Pacific sea-coast are certainly not among the most sluggish of our own race, or unwilling to assume new obligations, growing out of a new and healthful condition of private and public life. As all Europe contributed to settle our Atlantic borders, so every State of the Union contributes now its quatum of intelligence, enterprise and daring to give vitality and strength to our splendid domain beyond the Rocky Mountains. If the old Atlantic States of this glorious Confederacy understand the process of crowding the events of centuries into the short space of decades, we, of the extreme west, advance with the speed of the sun, and fulfill the mission of a decade within the annual return of the seasons.

At this rate, we not only add most substantially to the power and influence of the Confederacy, but promise a quick and ample return for every legislative favor that Congress may think fit to bestow. I believe, Mr. Chairman, that California and Oregon are destined to re-enact, on a large and magnificent scale, the part which Egypt played in the history and civilization of the Old World, and that San Francisco is to be the modern Alexandria through which the wealth of India is to be poured into our lap. As the Old World received its civilization from Egypt, so will a new civilization, science, and the doctrine of the living God, be carried from the western shores of this continent to reanimate the stagnant races of Japan, China, and the Indian Archipelago. Commerce is a greater fertilizer of the human intellect than war, and a better messenger of the religion of peace than the clang of swords or the roar of artillery.

This bill, sir, if it pass this House, will go far in aiding us to fulfill our great mission, and will do that for the advancement of the whole country which no other legislative act, involving no greater appropriation of money, is likely to accomplish in so short a time. We ask for nothing that will not, through us, benefit every other State in the Union; no commercial advantages, that shall not equally promote the trade and traffic of the Atlantic sea shore, and nothing that is not absolutely necessary to preserve that bond of fraternal union between all the States which is the cause of our strength, and the talisman of our national prosperity. I will not here detain the committee with

elaborate statistics of the comparative commerce of England and the United States with China and the East Indies. These have been furnished by other persons, and may be consulted with advantage by those who wish to obtain accurate information on the subject. The reports of the British House of Commons, and of Congress, furnish all the required details. I would here observe, however, that all statistics of the China trade, whether British or our own, must be taken with a grain of allowance; as the official returns, in all cases, are intended to deceive the Chinese Government, and to conceal rather than reveal the truth to the trading community. Thus we have been told, in an official report made to this House, in 1848, that the "recognized" imports into China in 1844, on British accounts, amounted to nearly \$16,000,000, consisting of woollen goods, cotton fabrics, including yarns, and raw cotton from India; and that, in the same year, there were smuggled into China forty thousand chests of opium, valued at \$20,000,000.

Mr. WARREN. Will the gentleman from California state whose report he alludes to?

Mr. LATHAM. I allude to the report of Hon. Thomas Butler King, chairman of the Committee on Naval Affairs, made to this House in May, 1848. Of course, the latter is mere guess work, while the former amount includes only that portion which was officially stated at the custom houses. The commercial statistics of a country are of little or no value when it must be admitted that the illegitimate, or smuggling trade, exceeds the lawful trade by several millions per annum; and when the capacity for continuing that trade can only be estimated by the resources of a comparatively unknown Empire. We shall probably be not far from the truth when we assume that the imports of opium into China, exceed the regular imports of dutiable articles by at least one hundred per cent., and that twenty per cent. of the opium smuggled into China is on American account.

This has been the opinion of Chinese merchants, as stated by Gutzlaff and Neuman, (unquestionable authorities on all subjects connected with the Chinese Empire;) and the Chinese merchants in the seaports and the interior are far better informed on such matters than the Mandarins. The civil war, too, which has now been raging for several years, and which may continue for several years longer, must furnish additional facilities to the opium smugglers; and if vice and debauchery usually follow the trail of armies, it is but reasonable to suppose that opium eating and smoking are now rapidly on the increase in every part of China.

The report above quoted gives the imports into China, on British accounts, as follows:

Woolen and cotton goods	- - - - -	\$15,929,132
Opium	- - - - -	20,000,000

Total	- - - - -	\$35,929,132
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or, in round numbers, \$36,000,000. All the exports from China, exclusive of Sycee silver, fell short of \$18,000,000; balance in favor of England \$18,000,000. Such a trade cannot, in the natural course of things, continue long; especially, as the freights are all earned by European or American vessels, and the imports into China are all for Chinese accounts and for Chinese

consumption. The Chinese Government is, indeed, reduced to the alternative, either to allow and encourage the culture of opium, or to see the country and itself rapidly reduced to bankruptcy. It has not the power to prevent smuggling, which is carried on by armed vessels, the officers and supercargoes of which distribute both chests of opium and the Scriptures; and with the eagerness of the people to buy the poison, the trade which ruins the country is sure to make the fortune of the smuggler.

Our trade with China is yet in its infancy; we chiefly export thither cotton goods, which are acknowledged to be of a superior texture and better quality than the English, raw cotton, lead and ginseng. In 1845, our whole export to China amounted to little over \$1,300,000, and very nearly the same amount of specie; while the exports from China to the United States, amounted, in round numbers, to \$6,700,000; leaving a large balance in favor of China. Other statistical accounts, furnished by the British House of Commons, show an increase in the exports of China to foreign countries, but also a corresponding increase in the value of the opium smuggled into it. The balance of trade against the United States and in favor of China, had, in 1845, as above stated, already exceeded \$5,300,000, and this balance was settled by bills on London, against shipments of specie.

In 1846 the balance of trade between this country and China was, in round numbers, but \$4,600,000 against the United States; while British imports from China had fallen off some six millions, and exports to China \$11,000,000; probably occasioned by their diminished capacity to buy either rags or poison. British trade with China depends on the capacity of the Chinese to pay in cash for articles they can no longer pay for in goods or products of their own; while *our* commerce with that country being, as yet, largely in favor of the Chinese, presents a considerable margin to be filled by the ingenuity and enterprise of our merchants. Our manufacturers may improve their fabrics or render them less costly; our navigators may reduce the commercial balance against us by earning freights; we may reship a portion of our imports from China to other countries; we may carry a portion of the British and other foreign imports into China, and we may discover new articles of consumption for the Chinese markets.

It seems to me, Mr. Chairman, that in all these respects we are better circumstanced than the British; and, in saying that, I would indicate that our commercial relations with China are capable of being improved beyond those of any other country.

In the *first* place, our own population and productions are increasing at a far more rapid rate than those of England, or any other country. Our general capacity for increased imports and exports must necessarily apply, also, to the China trade, and thus the broadest basis of an improvement is secured.

Second. We have it in our power, from the advantages of our geographical position, to diminish the distance between European and Chinese markets, to spread quicker and more general intelligence among our merchants on the Pacific and Atlantic coasts, and thereby to anticipate wants, assimilate tastes, and meet the demands of distant markets in advance of other nations.

Third. We have it in our power, with the diminished distances, to reduce the rate of *freights* between China and America, as well as Europe; being not only able, as I shall endeavor to show hereafter, to transport goods between these countries cheaper and quicker than they are now carried, but able to ship articles which would deteriorate or spoil on long voyages. In this will, perhaps, consist our greatest advantage; and,

Fourthly. We have a new species of enterprise—the passenger trade from China to California, and from California to China—opened to us, and are sure to retain it almost exclusively, if our merchants and shippers use the same degree of intelligence and watchfulness on the Pacific, that is now employed to secure that trade on the Atlantic, between Europe and the United States.

I now propose, Mr. Chairman, to treat of these advantages in the order I have named them.

Our population may now be computed at twenty-five millions, and will, at the close of this century, reach in the neighborhood of a hundred millions, without approximating a ratio of density that could impair either our capacity to import from, or export to, foreign countries. Alexander Von Humboldt, and other writers on America, have estimated that the Mississippi valley could comfortably feed and clothe three hundred millions of people; and it is not presuming too much to allow a hundred millions for each, the Atlantic and Pacific slopes. The United States, then, without counting any addition to our territory, such as will undoubtedly be made in the course of this and the next century, can support five hundred millions of people, and is the only nation on earth whose homogeneous numbers will, in the course of a brief space of time, approach and surpass those of the Celestial Empire. Considering, at the same time, that the extent of our country is as large, our climate as varied, and our productions as diversified, as those of China, we have at once the largest basis of our increasing trade, and the greatest field of operation between mind and mind that was ever afforded to two such extensive branches of the human family. On one side is the oldest civilization on earth, immutable customs and usages established through the extent of ages; a very high, though stationary degree of industry, and great fondness of commercial pursuits, limited, however, by imperfect navigation, timid sailors, and a decided inferiority in ship-building.

On the other (our) side of the Pacific is a comparatively new but energetic people, coupling the strength and elasticity of youth with the gravity and experience of past ages; customs and habits everlastingly changing, great mobility, actuality, and adaptation to the greatest variety of human pursuits, unceasing activity of mind, unconquerable industry, great fondness of commercial enterprise, love of the ocean as a native element, and a nautical skill which is already stretching out its hand to grasp the trident of Britain. Can we doubt on which side the commercial balance will finally incline? Is it possible for any present system of statistics to comprise all the elements of computation, all the elements of combination and permutation of which an intercourse with China—in other words, our trade with half the population of this globe—is susceptible? I believe not. As yet, we export nothing to China but cotton fabrics, (principally cloth and shirting,) raw cotton, lead,

and ginseng; but who shall say that our exports to China shall always be limited to these articles, or to the contraband trade in opium? I am aware that it is not an easy matter to manufacture goods for China. Not only have the Chinese themselves attained a very high degree of perfection in all fabrics of a fibrous texture, but wages in China are so low, living so cheap, and the laboring classes so frugal and simple in their habits, that the only way to compete with them is by machinery. It is by machinery that the British manufacturers have been enabled to undersell the fabrics of Benares, even in India, and that they are now able to sell their inferior woollens even to China. Our manufacturers are not inferior in genius and enterprise to the English, and there is no species of handicraft, however poorly remunerated, that can run a long race with the labor of machines.

A far greater obstacle to our trade with China is the tenacity with which the Chinese, and, more or less, all Eastern people, cling to their established customs and usages. There is no such thing as "fashion" in China, it being an act of piety in a Chinaman to eat, drink, dress, ride, and walk like his ancestors. Nothing in China grows old, or out of date, and there is, consequently, no scope for innovation. If a Chinese artizan, buried some thousand years ago, were suddenly resuscitated, and placed in possession of the tools with which he was accustomed to work, he could instantly apply himself again to his trade and find the same kind of customers. Still, it remains to be seen whether in close contact with us, and with Europeans, they will be able to continue these habits, which, with them, partake of the substance of religion. Change their religion, or rather their idolatry, and you will change their habits. The Chinese have always been the most civilized people of Asia, and overrun only by Tartars, were the more disposed to adhere to their old rules of life, their customs and manners, as their conquerors themselves adopted them from reasons of statesmanship. But the very fact that the Chinese do not change their fashions as we do, renders it more easy for us to manufacture for them by machinery. American fabrics would compete much more successfully with European, were it not that Paris and London set the fashions, and that the European manufacturer is thereby sure of being first in market. When our machines, as has, for instance, been the case in the article of *mousseline de laine*, are ready to enter into competition with them, the fashion is changed, and the manufacture of the article no longer remunerative. If, in regard to fashion, we were to take a little after the Chinese, it would do our New England, New York, Pennsylvania, and Georgia manufactures no harm, and keep a larger portion of our California gold production at home to serve as capital for new enterprise.

If, then, we wish to manufacture for China, we must not expect to succeed with mere imitation of European articles. It will be a long time before Chinamen will be induced to wear swallow-tailed coats, tight pants, or patent leather boots. Hence we must study their tastes, manners, and customs, and adapt our fabrics to them. This is the way England does now, and this is the way the "Universal Yankee Nation" will do, whenever their love of enterprise shall be stimulated by a reasonable prospect of success. I have no fear that the Chinese will ever manufacture by machinery. Their dexterity is wholly confined to manual labor, and almost entirely excludes the

idea of progress. In a country so thickly settled that the people will not allow horses and oxen to do a part of their physical labor, it is not likely machines will be tolerated to compete with the wages of labor. Besides, as I have already remarked, the Chinese are a nation of empirics, who invariably fail in the application of a principle. They cannot generalize. They reduce nothing to a system; and being neither synthetic, nor analytical reasoners, lack the method by which discoveries and inventions are multiplied and rendered useful to man. In contact with our reasoning, "calculating," cyphering Yankees, I have no fear but that they will be made to feel their inferiority, and, as is usual in such cases, *pay* for it.

I come now to the *geographical* advantages possessed by the United States over all other nations trading with China. These are manifold; but I shall content myself here with those which result especially from our position. We approach Japan and the eastern coast of Asia from the *Pacific* coast, without doubling the Capes; as soon, therefore, as a direct line of communication shall be established between our Atlantic and Pacific sea-coast, we will avoid not only the casualties and dangers attending the circumnavigation either of Cape Horn or the Cape of Good Hope, but save time and expense, and prevent the deterioration of such articles of freight as are likely to be affected by a passage through the tropics. If flour and provisions are ever to be shipped to China, it will only be from our Pacific coast, and not on a long voyage from our Atlantic sea-ports round the Capes, where their quality would be impaired in passing through the equatorial region. And as to the capacity of our Pacific possessions to produce breadstuffs, suffice it to say that the State of California alone has this year not only produced wheat enough to supply the wants of her whole population, but is actually shipping it to the New York market; to say nothing of Oregon or Washington Territories, as great wheat countries as there are upon the earth.

The sailing route from any of our large Atlantic ports to China, either round the Cape of Good Hope or the Horn, is from eighteen to twenty thousand miles. By the Panama route, the distance to Shanghae, via Aspinwall, Panama, and San Francisco, is only about eleven thousand miles; a saving, therefore, of from seven to nine thousand miles, or of fourteen or eighteen thousand miles, respectively, counting both the outward and the homeward passages. By the Nicaragua route, this distance is still further shortened, and by the Tehuantepec route, it will be again considerably reduced. It is believed that the trip from New Orleans to San Francisco, by the Tehuantepec route, can be performed easily in fourteen days, (perhaps in twelve days, if required;) and from twenty to twenty-five days would suffice for the trip of one of our large steamers from San Francisco to Shanghae. Add four and one half days for the distance from New York to New Orleans, (it will soon be performed in four days and a half,) and we shall have the whole distance from New York to Canton performed in forty-five days. Adding further ten days for the passage from New York to Liverpool, and thence another day to London, we shall have fifty-six days for the time a letter would be on the way from Canton or Hong Kong, by the American route, to the capital of England.

The overland mail from China to London is generally sixty-five days on

the way ; so that, by the American steam route, which it is intended to establish, or rather complete, by the provisions of this bill, there would be a saving from a week to ten days over the English overland route from Canton to London. But who does not know the value of early commercial intelligence, to doubt whether Englishmen would avail themselves of our American route to China, if it were certain that by it they would be furnished with the earliest news? As the case now stands, our merchants on the Atlantic coast obtain their information of China from England. The British East India merchant, therefore, is in possession of all the required commercial information from ten to twelve days sooner than our merchants in New York—a circumstance which will always enable the British East India merchant to avail himself of the first opportunities furnished by a favorable market. When commercial information shall be forwarded over the American route, *we* shall have the first news, and our merchants will be able to improve the first favorable turn in the market. We shall have news from China to New York in forty-five days, while the English, if persisting in the overland route, must be content to have it in sixty-five days. Who does not see that the quickness with which commercial intelligence will be conveyed, will serve to multiply commercial transactions, and to diminish the risks attending them?

In this calculation, I have only considered the mail route contemplated to be established by this bill, and the routes already established and in operation ; but what if the projected Pacific railroad be completed, and the distance from San Francisco to New York accomplished in six days? What, if the subterraneous telegraph line, a bill for which has already passed the other House, be completed, and messages from San Francisco to New York, and from New York or any other town on the Atlantic to San Francisco, be sent in two days? Commercial intelligence will then be conveyed from China to New York in twenty-two days, and to London in thirty-two days, or little less than *half* the time now required by the overland mail from India. The wants of the Chinese people, the state of their markets, the crops, the demand for foreign goods, in short, every thing that can affect commercial transactions with that distant country, will be known in so short a period, that no time will be lost in adapting trade and enterprise to the changes that may have taken place ; and where one or two shipments are now made in the course of a year, under circumstances of no ordinary risk, three or four will then be made with comparative safety.

It is, therefore, but reasonable to say that the new line of mail steamships, as proposed, will find abundance of employment, not only by our own merchants, but those of Europe, and that it will form the most important and remunerative connection between the Eastern shores of the old Continent and the Western world. In the absence of large and expensive fleets, the regular visits of our mail steamships to the islands of the Pacific, and to Japan, as well as to the ports of China, themselves, will serve as a protection to our commerce, and lend a certain *prestige* to our navigators and hardy whalers in those seas. Our Government has been reproached, by foreigners, with not keeping a sufficient naval force in the Indian Archipelago and the Chinese seas, to protect our merchantmen, and it has been tauntingly asserted, that but for the British men of war, which act as high constables of those seas,

scouring it of pirates, our commerce, in those waters, would be entirely annihilated. When our mail steamships shall regularly visit the coasts of China and Japan, touching at the Sandwich Islands, spreading intelligence in every direction, and increasing wealth by legitimate means, civilization and christianity will spread so rapidly, and extend their humanizing influence so far and wide, that the maintenance of an armed force, for the protection of commerce, will be as unnecessary in those waters, as it is on the coast of Europe.

Our advantageous geographical position, as regards the Asiatic mail service, equally applies to *freights*. Freights are the great drawback to commerce; hence, whatever diminishes freights—that is, whatever renders the expense and time of carrying goods less—adds to the profits of commerce, and, to that extent, increases and extends it. I have already shown that the distance from Canton to London, by the way of San Francisco and New York, is scarcely more than one half of that around the Capes; still, against that we have to put the loading and unloading on our Pacific and Atlantic coasts, when we speak of freights. These processes involve great expense and some loss of time; and, in a considerable measure, counterbalance the advantages resulting from the shorter distance. Still, there are goods, not of a bulky nature, which are easily unloaded, and shipped again, and these, would, no doubt, at once take the shorter route. Bulky articles would, probably, continue to be shipped from China and India, directly for their final ports of destination in Europe, until a ship canal is built across the Isthmus of Darien, or, until the greater speed of the Pacific railroad would weigh still more heavily in the balance of time, and saving of interest, against the cost of loading and unloading.

These considerations, however, apply only to the carrying trade between China and *England*, and not to the trade of our own merchants for distribution at home, or to the shipments of assorted cargoes. Let us have the mail service first, and thereby the requisite means of intelligence, and we may safely leave the rest to the genius and enterprise of our merchants. It is the exchanges of our own products for those of Japan and China, that we must look to, as the principal feeder of our commerce with the East; and these—as I have already observed—from the extent of our country, and the great variety of our own soil and climate, are so diversified as to furnish a substantial basis for a more extensive trade between two countries of the most gigantic dimensions, and almost infinite resources.

It remains for me to speak of another interesting relation that has grown out of our settlement on the Pacific coast, and the wealth and civilization to which these have given rise, within the last few years. Already a stream of emigration is setting toward California, from the Celestial Empire, and although that stream, after the immigrants have enriched themselves, is, in part, at least, flowing back to China, yet while it lasts, it affords the basis of a passenger and emigrant trade, the influence of which, on our commercial relations, is not yet sufficiently appreciated. The command of the ocean always belonged to the most commercial nation, and the greatest number of ships were always owned by that people who enjoyed the carrying trade in the bulkiest articles. Bulky articles make freights and employ ships and sailors; hence the nation which exports *bulky articles of its own growth*, has a very decided advantage over those whose exchangeable products occupy

less space, and consequently employ less tonnage. We are, in this respect, most remarkably blessed by Providence; for our staple articles of export are all bulky, and furnish large employment to our shippers. Cotton, our most valuable article of export, is, perhaps, the bulkiest article known to commerce; next come flour, grain, provisions, potash, tar, turpentine, &c. These form the basis of a very large carrying trade, and secure to our shippers an outward freight. The exports of England and France are of a less bulky nature, and consist chiefly of manufactured articles. With the exception of wines and brandies from France, and hardware and crockery from England, almost all other articles of export from those countries, though of much value, occupy less volume, and therefore, make less *freight*. A single French ship laden with silks, lace, shawls, or other costly articles of toilet, may carry the return cargo for a dozen separate importations, in the shape of breadstuffs, provisions, lard, hides, &c., on all of which freights have been earned, and ships and sailors furnished with employment. It is the nature of the exports from France, which, more than the geographical position of that country, or the want of enterprise, prevents her from becoming a great maritime nation. A cargo of British woolens, worsted, silk or mixed, nay, even of her ordinary cotton goods, is far more valuable and less *bulky*, than the raw materials which make freights for England, and occupies, therefore, less shipping, and fewer hands on shipboard. Our exports of raw cotton alone furnish, probably, more employment to shippers than the whole imports into the United States from England.

It is clear, then, that our exports, in regard to bulk, exceed by far our imports, and that, consequently, if our trade were entirely confined to merchandise, many of our ships would be obliged to come home with but half a freight or in ballast. Still, having an outward freight secured, they could successfully compete with the ships of other nations, few of which would have either a full outward or homeward freight secured. But, of late, another species of trade has sprung up, adding largely to the remunerative profits of our merchants and ship-owners. It is the passenger and immigrant trade, which furnishes valuable home freights to all our ships bound for the coast of England, Ireland, or Scotland, the ports of the North Sea, Sweden and Denmark, the Baltic, and the coast of France. It is precisely those countries which consume our great staples, and pay the outward freight of our shippers, while the people of those countries themselves constitute the homeward cargo and make up a full freight.

It is the passenger trade which, in late years, has added so much to our shipping, and given such ascendancy to our commercial marine, and I maintain that what the passenger trade has done for our trans-Atlantic commerce, it will also do for our commerce in the Pacific. Let a regular monthly or semi-monthly line of communication be established between San Francisco and the ports of China and Japan, and a valuable trade of that nature will spring up, in regard to which we need not apprehend any competition. Instead, as is now the case, carrying principally Chinese adventurers, indigent laborers, and vicious persons, between Shanghai or Canton, to California, Chinese gentlemen, wealthy merchants, and men of leisure, might visit our country, and, perhaps invest fortunes in our enterprises.

Mr. FARLEY. Has not the Supreme Court of California decided that the Chinese cannot be witnesses?

Mr. LATHAM. It has decided this only: that, under the laws of California, they cannot be witnesses against a *white* person, inasmuch as they come within the provision which excludes Indians—a “person who shall have one half of Indian blood shall be deemed an Indian”—from testifying in *criminal* cases against a white person.

I will state further—as I see the drift of the gentleman’s question—that the class of Chinese in California are generally of the lowest order, being sent there frequently by foreign capitalists as coolies, who receive the products of their labor. This class are from the scum of the Chinese population, and cannot be considered a valuable acquisition to any community. Their political rights present serious questions, which, I know, have already perplexed the government of California.

But I am treating of the Chinese merely as a manufacturing and trading people, who have shown wonderful capacity in the arts, and China as an Empire whose products we must have. Hence the question, on what terms we may best secure their trade and commerce, to add to our own national wealth and prosperity?

But to proceed. At first, it was merely the hardy adventurer, or exile from Europe, who sought the shores of America; now, a perfect exodus from the British Isles and the European continent seems to be going on, depopulating whole States, and leading to a vast intercourse and an increasing correspondence, by letter and telegraph, between the two continents. Why should not similar changes be effected in the Pacific? The great mass of the Chinese and Japanese people are better educated than the masses in England or Ireland. There is not, within the whole Celestial Empire—missionaries tell us—a man who cannot read and write; and the Chinese are, besides, an inquiring, imaginative, venturesome people, confined and restricted merely by their Government, and that Government tottering to its foundation. When the Chinese called all other nations “barbarians,” they evidently considered only their Asiatic neighbors, and so far as *they* are concerned, the Chinese had a right to boast of their superiority. They understand political economy and all other sciences better than any of their Asiatic neighbors; they are more enterprising, more industrious, more civilized, and more literary than any of them, and they are, withal, a people of agreeable, docile, and winning manners. Such a people, brought in close communication with our own, with thousands of their numbers now in California, already corresponding with their friends and relatives at home, cannot fail to undergo great revolutions, which will change their moral and social relations, and throw a large portion of them—the *débris* of shipwrecked political and religious parties—on the western shore of our continent.

Nor will it only be the trade, enterprise, and development of thought between the two continents which will be stimulated and promoted by the establishment of this line. All the beneficent influences I have described will equally extend to the Pacific islands—to those floating paradises that only require to taste of the fruit of knowledge to exchange their happy animal life for the delicious cares of a higher and nobler existence. The hardy

seamen of our six or seven hundred whalers in the Pacific will no longer be cut off from regular and quick communication with their friends and kindred, but made to feel that they have a home on the western shore of our continent, from which their voices may be heard, their wants understood and supplied.

And whatever be the shock when the oldest nation on this earth meets the youthful energies of the newest born, when the slowly gathered experience of forty centuries meets the fructifying influence of general ideas, *it cannot be avoided*. It must be met; and it is better that we should meet it with all the peculiar advantages of our civilization and position completely within our control, than that we should procrastinate or suffer events to control our resolution. Our civilization, our society, our political organization, must stand the Asiatic test as they stood the European, and control, remodel, and assimilate the new elements. I have no doubt, Mr. Chairman, but that the passenger trade from and to China, and the vast correspondence to which it will lead with that reading and writing Empire, will more than compensate the Government, in a pecuniary point of view, for the establishment of the line of mail steamships contemplated in this bill. I have no doubt but that it will be the first great step towards an entire revolution in the world's commerce, that it will change the complexion and political configuration of Asia, and give a new impetus and direction to the enterprise of our own people.

In behalf, then, of the great interests of humanity and civilization, of commerce and navigation, of our great national development, and the individual happiness and prosperity of our citizens dependent on the passage of this bill, I beseech the committee to give it the attention it deserves, and a support commensurate with the paramount considerations of statesmanship, which have already secured for it the approbation of the country. For be assured, that its passage by this House will be hailed as the cementing of another link in the perpetuity of the progress, power, and grandeur of the American Government.

2
DR. SCOTT,

The Vigilance Committee

AND

THE CHURCH.

A LECTURE BY W. CARROLL, *pres.*

Evangelist, Concord

DELIVERED IN MUSICAL HALL, SAN FRANCISCO, OCT. 12, 1856.

"And many of them said, 'He hath a devil, and is mad, why hear ye him.'"

"Others said, 'These are not the words of him that hath a devil; can a devil open the eyes of the blind?'"—JOHN, x., 20 and 21.

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1856.

TO THE PUBLIC.

THIS Lecture is not published at the request of any one. My reasons for issuing it are,

1st. To enable all, who have read the vituperations of those who smart under the lashings of truth, to also read what was said, to occasion such vituperation, that they may judge justly and intelligently.

2nd. To enable the public to gain accurate ideas as to my "sanity," which has been feignedly questioned, by both the *Evening Bulletin* and *Post* of San Francisco. If for these words, any one not himself possessed of a devil, (and possibly the editors of those papers are not) shall say of me, "He hath a devil and is mad, why hear ye him," it is a comfort to feel that a better man than either of us was more than once so spoken of and for the same reason; it might be wise to reflect, that possibly a division among the people may take place, and others say, "These are not the words of him that hath a devil," (see x chap. John, 20th and 21st verses, and Mark 3, 21,) and that 2nd Corinthians, v chap. and 13th verse, reads "For whether we be beside ourselves, it is to God; or whether we be sober, it is for your cause."

3rd. Being in debt to a poor man, and at the same time on the eve of being turned out of office for the exercise of my constitutionally guaranteed rights as a free American citizen, I seek to raise from the sale of these pamphlets, funds by which to live and commence a business that will always give us food and clothing, wherewith we will be content.

CARROLL'S LECTURE

— ON —

“Dr. Scott, the Vigilance Committee and the Church,”

DELIVERED AT

MUSICAL HALL, SAN FRANCISCO,

OCTOBER 12, 1856.

The connection between the following selections from scripture and this subject, will appear in the course of the lecture.

The beginning of the lecture is on page 26, although formally, for obvious reasons, on page 11.

A portion of the vi chap. of Matt. reads, “No man can serve two masters; for either he will hate the one, and love the other, or else he will hold to the one and despise the other. Ye cannot serve God and mammon. Therefore I say unto you take no thought for your life, what ye shall eat or what ye shall drink, nor yet for your body what ye shall put on. Is not the life more than meat, and the body than raiment? Therefore take no thought saying, what shall we eat? Or, what shall we drink? Or wherewithal shall we be clothed? For your heavenly Father knoweth that ye have need of all these things. Take therefore no thought for the morrow, for the morrow shall take thought for the things of itself. Sufficient unto the day is the evil thereof.”

A portion of the x chap. of Mark, reads: “And Jesus answered and said, verily I say unto you, there is no man that hath left house, or brethren, or sisters, or father, or mother, or wife, or children, or lands, for my sake and the gospel's, but he shall receive an hundred-fold now in this time, houses and brethren, sisters and mothers, and children and lands, with per-

secutions, and in the world to come eternal life. But many that are first shall be last and the last first."

The 25th to 27th verses of the xx chap. of Matt. read: "Ye know that the princes of the Gentiles exercise dominion over them, and they that are great exercise authority upon them, but it shall not be so among you: but whosoever will be great among you, let him be your minister, and whosoever will be chief among you, let him be your servant."

Verses 1 to 5 of the vii chap. of Matt. read: "Judge not, that ye be not judged, for with what judgment ye judge, ye shall be judged; and with what measure ye mete, it shall be measured to you again."

"And why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye? Or how wilt thou say to thy brother, 'Let me pull out the mote out of thine eye,' and behold a beam is in thine own eye!"

"Thou hypocrite! First cast out the beam out of thine own eye, and then shalt thou see clearly to cast out the mote out of thy brother's eye."

The 28th to 31st verses inclusive, of xxi chap. Matt. read: "But what think ye? A certain man had two sons, and he came to the first and said, 'son, go work to-day in my vineyard.'"

"He answered and said, 'I will not,' but afterward he repented and went."

"And he came to the second and said likewise; and he answered and said, 'I go sir,' and went not."

"Whether of these twain did the will of his father?"

Matt. vii chap., from the 15th to the 20th verses, reads as follows:—

"Beware of false prophets, which come to you in sheep's clothing, but inwardly they are ravening wolves. Ye shall know them by their fruits: do men gather grapes of thorns, or figs of thistles? Even so, every good tree bringeth forth good fruit, but a corrupt tree bringeth forth evil fruit. A good tree cannot bring forth evil fruit, neither can a corrupt tree bring forth good fruit. Every tree that bringeth not forth good fruit, is hewn down and cast into the fire.

"Wherefore by their fruits ye shall know them."

A portion of the v chap. of Matt. reads as follows: "Ye have

heard that it was said by them of old time, thou shalt not commit adultery, but I say unto you, that whosoever looketh on a woman to lust after her, hath committed adultery with her already in his heart! And if thy right eye offend thee, pluck it out and cast it from thee; for it is profitable for thee, that *one* of thy members should perish, and not that thy whole body should be cast into hell. And if thy right hand offend thee, cut it off and cast it *from* thee; for it is profitable for thee, that one of thy members should perish, and not that thy whole body should be cast into hell."

"It hath been said, whosoever shall put away his wife, let him give her a writing of divorcement; but I say unto you, that whosoever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery: and whosoever shall marry her that is divorced, committeth adultery!" [Bold language that for a Christian minister! What business had he to mix up religion with the laws of the land on divorce, or on any other subject? Hanging was too good for such a fanatic! He deserved to be crucified! Such words depict the spirit of many modern Christians.]

Danl. vi. "It pleased Darius to set over the kingdom an hundred and twenty princes, which should be over the whole kingdom; and over these three presidents, of whom Daniel was first, that the princes might give account unto them, and the king should have no damage. Daniel was preferred above the presidents and princes, because an excellent spirit was in him.

"Then the presidents and princes sought to find occasion against him, concerning the kingdom, but they could find none occasion nor fault, forasmuch as he was faithful, neither was there any fault found in him. Then said these men:

"We shall not find any occasion against this Daniel, except we find it against him concerning the law of his God."

"Then these presidents and princes assembled together to the king, and said thus unto him: 'King Darius live for ever! All the presidents of the kingdom, the governors, and the princes, the counsellors, and the captains, have counselled together to establish a royal statute, and to make a firm decree, that whosoever shall ask a petition of any god or man, for thirty days,

save of thee O king, he shall be cast into the den of lions. Now, O King, establish the decree, and sign the writing, that it be not changed, according to the law of the Medes and Persians, which altereth not.

“Wherefore King Darius signed the writing and the decree.

“Now when Daniel knew that the writing was signed, he went into his house, and his windows being opened in his chamber, he kneeled upon his knees three times a day, and prayed and gave thanks before his God, as he did aforetime.

“Then these men assembled, and found Daniel praying and making supplication before his God. Then they came near and spake before the king, concerning the king’s decree.

“Hast not thou signed a decree, that every man that shall ask a petition of any god or man, within thirty days, save of thee O King, shall be cast into the den of lions?

“The king answered and said, ‘The thing is true, according to the laws of the Medes and Persians.’

“Then answered they and said, ‘That Daniel, which is of the captivity of Judah, regardeth not thee O King, nor the decree that thou hast signed, but maketh his petition three times a day.’”

[Mark the honest (!) indignation of those green-eyed, Medo-Persian, political wire-pullers!]

“Then the King when he heard these words, was sore displeased with himself, and set his heart on Daniel to deliver him, and he labored till the going down of the sun to deliver him.”

[Noble old man! noble were thine efforts, but still useless! The hounds had you on the hip! It was ‘unconstitutional’ to revoke the decree!]

How some of our modern divines must admire and worship Darius, not for his noble efforts to save Daniel, but for ‘standing by the constitution,’ even to the loss of his most intimate friend and best counsellor!]

“Then these men assembled unto the King and said,

“‘Know O King, that the law of the Medes and Persians is, that no decree or statute which the King has established may be changed.’

“Then the King commanded, and they brought Daniel and cast him into the den of lions!

"Now the King spake and said unto Daniel, 'Thy God, whom thou servest continually, He will deliver thee!'"

[It would seem as though that oft-called heathen monarch, like old heathen Abraham, had a greater faith in the Almighty God of truth and love, than have many modern leaders in spiritual Israel!]

Danl. chap. viii. "In the third year of the reign of King Belshazzar, a vision appeared unto me, Daniel, and I saw in a vision, and I was by the river Ulai; then I lifted up mine eyes, and behold, there stood before the river a ram, which had two horns; and the two horns were high, but one was higher than the other; and the higher came up last. I saw the ram pushing westward, and northward, and southward; so that no beast might stand before him; neither was there any that could deliver out of his hand, but he did according to his will and became great."

1st Saml. xvii. "Now the Philistines gathered their army together to battle, and Saul and the men of Israel were gathered together, and pitched by the valley of Elah, and set the battle in array against the Philistines. And the Philistines stood on a mountain on the one side, and Israel stood on a mountain on the other side, and there was a valley between them. (Perhaps about as wide as Bush street!)

"And there went up a champion out of the camp of the Philistines, named Goliath of Gath, whose hight was six cubits and a span, and he stood and cried unto the armies of Israel and said unto them,

"'Why are ye come out to set your battle in array, am not I a Philistine, and ye servants to Saul? Choose ye a man for you, and let him come down to me; if he be able to fight with me and to kill me, then will we be your servants, but if I prevail against him, and kill him, then shall ye be our servants and serve us. I defy the armies of Israel this day! Give me a man that we may fight together.'

"When Saul and all Israel heard these words, they were dismayed, and greatly afraid.

"Now David was the son of Jessie, who had eight sons, and the three eldest went to follow Saul to the battle; and their names were Eliab, Abinadab, and Shammah, and David was

the youngest, and went and returned from Saul to feed his father's sheep at Bethlehem.

"And Jessie said unto David, 'Take now for thy brethren this parched corn, and these loaves to thy brethren, and carry these cheeses to the captain of their thousand, and take their pledge.' (I suppose receipt.)

"And David rose up early in the morning and left the sheep with the keeper, and went as Jessie had commanded him; and he came to the trench as the host was going forth to the fight and shouted for the battle. And David left his carriage (the stuff he had been carrying) in the hand of the keeper, and ran into the army and saluted his brethren, and as he talked with them behold, there came up the champion Goliath, and spake the same words.

"And David heard them!

"And all the men of Israel, when they saw the man, fled from him and were sore afraid, and said to David, 'Have ye seen this man that is come up, surely to defy Israel, he is come, and it shall be, that the man who killeth him, the king will enrich with great riches, and will give him his daughter, and will make his father's house free in Israel.'

"And David spake to the men saying, 'who is this uncircumcised Philistine, that he should defy the armies of the living God?'

"And Eliab, his eldest brother heard him; and his anger was kindled against David, and he said, 'Why camest thou down hither, and with whom hast thou left those few sheep in the wilderness; I know thy pride, and the naughtiness of thine heart!'

"And David said, 'What have I now done, IS THERE NOT A CAUSE?'

"And when the words were heard, which David spake, they rehearsed them before Saul, and he sent for him.

"And David said to Saul, 'Let no man's heart fail because of him, thy servant will go and fight with this Philistine!'

"And Saul said unto David, 'Thou art not able to go against this Philistine, and fight with him, for thou art but a youth, and he a man of war from his youth.'

"And David said unto Saul, 'Thy servant kept his father's

sheep, and there came a lion and a bear and took a lamb out of the flock, and I went out after him, and delivered it out of his mouth; and when he arose against me I caught him by his beard, and smote and slew him. Thy servant slew both the lion and the bear, and this uncircumcised Philistine, shall be as one of them, seeing he has defied the armies of the living God. The Lord that delivered me out of the paw of the lion and the bear, He will deliver me out of the hand of this Philistine.'

"And Saul said unto David, 'Go, and the Lord be with thee.' And he took his staff in his hand, and chose him five smooth stones out of the brook and put them in a shepherd's bag.

Sling in hand he drew near unto the Philistine! and the Philistine drew near unto David! And when he looked about and saw only David, he disdained him for he was but a youth. And he said unto David,

"Am I a dog, that thou comest to me with staves?'

"And the Philistine cursed David by his gods. Then said David to the Philistine,

"Thou comest to me with a sword and with a spear, and with a shield, but I come to thee in the name of the Lord of Hosts, the God of the armies of Israel, whom thou hast defied. This day will the Lord deliver thee into mine hands, and I will smite thee, and take thine head from thee, and I will give the carcasses of the hosts of the Philistines this day unto the fowls of the air, and to the beasts of the earth, that all the earth may know that there is a God in Israel. And all this assembly shall know that the Lord saveth not with the sword and spear, for the battle is the Lord's, and he will give you into our hands.'

"And David put his hand into his bag and took thence a stone, and slang it, and smote the Philistine in the forehead, that the stone sank into his forehead, and he fell upon his face upon the earth."

1st Corinthians, ix. chap. 26th verse reads, "So fight I, not as one that beateth the air," and Paul elsewhere says, "for we wrestle against spiritual wickedness in high places." (Ephes. vi. 12.)

Matt. v. chap. 9th to 12th verse inclusive, reads, "Blessed are the peacemakers, for they shall be called the children of God."

"Blessed are they which are persecuted for righteousness sake, for theirs is the kingdom of Heaven!

"Blessed are ye when men shall revile you, and persecute you, and shall say all manner of evil against you falsely for my sake. Rejoice and be exceeding glad, for *great* is your reward in heaven! For so persecuted they the prophets which were before you."

LECTURE.

LADIES AND GENTLEMEN:

You have convened this evening, to listen to a lecture upon the relation which the Church ought to have borne to the Vigilance Committee, in its inception and whilst in operation. This lecture is provoked by the circumnavigating letter of the Rev. Mr. Scott, which I presume you have all read. I here insert it.

(From the *Philadelphia Presbyterian*.)

THE CHURCH AND LYNCH LAW.

To the Editors of the *Pacific* of San Francisco.

MESSRS. EDITORS—It is with the deepest grief and mortification that I have read your articles since the beginning of the present most unhappy excitement in San Francisco, and especially your article of the 12th June, "The Church and the Crisis." The article is in the style and manner following:—

"THE CHURCH AND THE CRISIS.

"One of the most marked features of the present movement, in this State, is the unanimity with which the clergy have approved of it, and the churches have engaged in it. With scarcely a single exception in the whole State, the pastors have approved of the action of the Committee. Most of them have preached on the subject. They have animated the people to go forward in the reform, as the work of religion—the work of God.

"It is not a new thing for the Church to be found in the van of great revolutions. Its mission is one for human rights, and the good of mankind. Who does not know that that eloquent preacher Robert Hall, delivered one of his most sublime discourses to a company of volunteers going to fight in defence of the liberties of their country? Who does not know that in the American Revolution, Jonathan Edwards, the most seraphic spirit of the age, preached and prayed in behalf of the Revolution? Who does not remember that Dwight preached to companies of armed volunteers, and animated them to engage in their holy work? The case is no wise changed when the enemies of popular rights are internal instead of external, and when all constitutional means have failed of subduing them.

"The Church throughout the State is with this movement. It is part of her religion to make pure the body politic. It is a part of her religion to maintain, though at danger and cost, the freedom of speech, and the sacredness of constitutional and native rights, against every usurper, whether it be a king, or the dangerous, mean robber of the ballot-box. It is an object with the enemies of this movement, to misrepresent the position of the Church. They have not attempted it, save in a single instance, unworthy of notice. Of all the ministers of this State, we know of only one

or two who have not expressed themselves favorable to the action of the Committee; and nearly every one of these has preached upon the subject. And the Roman Catholic priests, if not in favor of the Committee, are not advocates of armed opposition against it."

It is after this manner, and even in a more inflammatory style, that the recent numbers of the *Pacific* are chiefly filled. You have repeatedly urged on the Vigilance Committee, and called upon them to do even more than they have done. There has been much more about the Committee, and in favor of overturning our Constitutional laws, by banishing and hanging some of our citizens, in the recent numbers of your so-called religious newspaper, than there has been of Christ and him crucified. Now, it is not for me to attempt to control your journal, nor to dictate what you shall publish; but I beg the permission to say to you—*First*, that if you had confined your remarks in behalf of the proceedings of the Vigilance Committee to yourselves, and to your own denomination, then, though grieved, I should have kept silent. But you assume to speak for the *Church of Christ*, and again and again commit it and the ministers of the gospel, with only one or two exceptions, to the anomalous and lawless movements that have distracted our city for the last two months. And *secondly*, I address myself to you because, as editors, you are before the world as public men, and as the conductors of a professedly religious paper, you are teachers of Christianity; and as leaders of the people and preachers of the gospel of Jesus Christ, you have no small responsibility to share for urging on the people to contravene the established laws of the land. It is the opinion of some of the most intelligent men of this city, that the example of the ministers which you commend, and the cry of the press of this city for blood, have contributed greatly to our present disorganized state. The newspapers that have labored most violently, and called the loudest for the reign of lawlessness, have quoted the *religious papers* as sanctioning their course, and in support of the movement. Now if the religious teachers and leaders of the people have set such an example, the people are almost excusable.

But *thirdly*, I am constrained to address you, because at your request I have been a frequent contributor to your columns, and have done what I could to increase its circulation on this coast as a *religious* paper. And because I have done so a necessity is now laid on me to express my dissent from your views.

And *fourthly*, I address you by the way of Philadelphia, because I wish to escape, as much as possible, from local prejudices and momentary excitements, and to speak of principles and things beyond the influence of passion. It is undeniable that the present is a moment of intense excitement, and it does not seem probable that anything said or published here at this time would do any good. But I am not without the earnest hope that by the time my earnest protest shall reach you by way of Philadelphia, that the day of reason will have again dawned upon our city, and that sound principles will be likely again to resume their sway.

And *fifthly*, I address you through the *Presbyterian*, because, however humble my name may be, I feel that I owe it to my brethren in the ministry in the Atlantic States, and throughout Christendom, to let them know that I am not included in the number of pastors who have incited their congregations to aid in the overturning of the laws of the land.

"And *sixthly*, I address you after this style, because I have endeavored to follow with you the Saviour's rule in regard to an offending brother. I have remonstrated with you; I have written private letters to the principal editor; but all in vain. The columns of the *Pacific*, which the friends of Christ here and in the East have been endeavoring to establish and sustain as an organ of Christianity, still teem with effusions in behalf of violence to our laws, and call for the banishment of citizens—a punishment unknown to our Constitution and fundamental laws—and still call for blood and for the progress of "the Revolution."

Under these circumstances nothing is left to me but to protest, and let my friends know that the *Pacific* does not represent the principles that I hold, and which I believe to be according to the Bible and the Constitution. You say, that "of all the ministers of this State, we know of only one or two who have not expressed themselves favorable, and nearly every one has preached upon the subject." "With scarcely a single exception in the whole State, the pastors have approved of the action of the Committee. Most of them have preached on the subject. They have animated the people to go forward in the reform, as the work of religion—the work of God." And again, you say, "it is not a new thing for the Church to be found in the van of great revolutions." "The Church throughout the State is with this movement," &c. Now,

1. I hope you are mistaken, and that it will be found that I am not left absolutely alone. There may not be seven thousand who have not bowed the knee to Baal, but I trust I am not alone. Other ministers, however, have the same privileges that I have, and are quite as able to speak for themselves. It happened that I was absent in the mountains when Mr. King was killed and the insurrection began. Casey and Cora were hanged before I returned home. I left the city in peace, and after an absence of two weeks I returned and found it in arms. On my return I was told the religious newspapers are in favor of the revolution; the clergy of the city are all, or nearly all, on the side of the Vigilance Committee. I was told that I must pray for the Committee, and preach in their behalf, and that if my sentiments against them were known, I should "lose my congregation." All this, and much more of a like character, is true; but I cannot still believe that it is right to pledge the Church of Christ to any such proceedings.

2. Are you, gentlemen, correct, when you assign the Church "the van of great revolutions?" Is it really a part of our holy religion to contravene our established laws and courts of justice? Does the Church teach us to defy the chief magistrate of the State, and mock at his proclamation, and to assume the administration of such power as executes the highest penalties, and to rule over the city by a secret, self-appointed, irresponsible, but armed and powerful association? If so, I have certainly failed altogether to apprehend the true nature and mission of the Christian Church. I thought its founder was the Prince of Peace, and that his kingdom was not of this world—that it consisted of righteousness, peace, and joy in the Holy Ghost. Nor have I ever found a single text in the Bible authorizing disobedience to the civil magistrate. On the contrary we are commanded to obey our rulers, even when they are as wicked as Caligula or Nero. Nor can I find where the Church has any commission to put herself in the van of any other revolution than that of preaching peace to all nations, through the blood of Christ. I certainly yet have to learn, either from Church, history or from the New Testament, that the Church has any commission to drive men from vice by the bayonet, or to exile them from their homes and native land by the fiat of a Vigilance Committee. I know not where the pastors who "have preached in favor of the Vigilance Committee," and have "animated their people to go forward" in its support, "as the work of religion, the work of God," could find a text. Whence did they obtain their commission? Is it in their "marching orders" to go and preach the gospel to every creature? Or is there a single word in the New Testament, or a single act of Jesus Christ that authorizes his followers to show the slightest disrespect to the civil authorities? I certainly know of none. His whole life is against such conduct.

3. Are you not also mistaken in calling this "work of God" "a great revolution?" The wisest advocates of the Lynch law system now prevailing, as far as I know, deny that there is any revolution. If we are in a revolution, what is it for? It is true, our city has been badly governed. Corruption, vice and bloodshedding have prevailed to an alarming extent. But still it is not contended that our fundamental laws must be altered or even amended. They are admitted to be good, but said to be badly administered. It is hardly true, however, that the officers of the law were more corrupt and unfaithful here than in other cities. And it is hard to reconcile the plea of necessity for the organization of the Vigilance Committee with the improvement that we have been constantly told has been made in society? What is the influence of our Lyceums, Mercantile Library, and Mechanical Associations, of our public schools and our *thirty-one* churches, with their Sabbath schools, if now the city cannot be governed without a Lynch law court? You may depend upon it, this kind of proceeding contradicts all our statements as to our improvement in morals and in religion. This is a terrible blow to California throughout all civilized nations. And to my mind it is perfectly preposterous to contend that the many thousands of men and money wielded by the Committee, could not have secured in a lawful manner the purity of our elections and the faithful execution of the laws as far as perfection in such things can be obtained in human courts. If they could not, then our republican institutions are a failure. Indeed, I have not yet seen a plea in justification of mob law that is not a blow at Republicanism.

4. But, reverend brethren, what is this "work of God" that you have so often advocated, and that you tell the world the Church and her ministers are carrying forward? Was it to call worshippers from the house of God on the Lord's day, and to march to the jail, and by the prestige of French soldiers, and other armed aliens, as well as of armed citizens, overawe the Sheriff, and take some of the prisoners out of his hand? Was it the "work of God" to condemn these prisoners to death, and then to hang them

out of the windows of a warehouse, converted for the time into a fortress, with dungeons, and cells, and iron hand-cuffs, and all the direful enginery of death? Do you teach that it is the "work of God" to hold a military fortress in the heart of a peaceful commercial city, and to erect barricades in the street, and plant cannon so as to command the public thoroughfares, and to fill the streets with armed men, infantry and cavalry, to visit the homes of our citizens in the dead hours of night, and drag fathers from their beds to dungeons, and to banish them from their country, and to do all this without any legal authority whatever? Nay, more; to do all this, and much more of the same sort, not only without lawful authority, but in direct violation of the proclamation of the Chief Magistrate of the State, and in violation of the sacred rights secured to us by the constitution and laws of the United States and of the State of California. I have been taught that ministers of Christ are ambassadors of peace, whose weapons of war were not carnal, but spiritual. If it were even so then, that I stand *alone* on this coast, I cannot help it. I cannot preach what the word of God forbids. And surely there is not a word in the Bible that teaches Christians to rebel against the legal authorities of a free Christian land. It may be I have no power to do anything more than to *protest* against your placing the Church of Christ in any such position. And I protest against your teaching church members to support Lynch law, or to show any disrespect to the constitutional authorities of the land. Nor are there bayonets enough in the State, nor gold enough in its mountains, to compel me to introduce such themes into my humble pulpit ministrations. The Bible teaches nothing more plainly than that the laws of the land are God's ordinances, and must be obeyed as such. The Bible teaches nothing if it does not require Christians to be a law abiding people. The early Christians conquered by submitting even to tyrants. To me it seems that political ranting has well nigh destroyed the influence of the American pulpit. I would not have the responsibility that rests upon such ministers as have left their appropriate duties of preaching *Christ crucified*, and peace on earth, and have excited their hearers to dissension and insurrection, a disregard for the laws of the land, and to mob violence, and the use of Sharp's rifles, for all the gold or fame of the world.

5. It is marvellous how you can find an analogy between some mere local corruptions in San Francisco, and the causes of the English revolution of 1688, or of the American revolution of 1776, or of the wars of Great Britain in the days of Robert Hall. In 1668, and in 1776, and in the days of Cromwell, there was no way to obtain redress but by revolution. Fundamental laws had to be obtained. Great fundamental rights and principles, both as to civil liberty and religious, had to be secured by force. The government was not then, as now, in the hands of the people. They had not the right of making their own laws, and of electing their own officers. Nor was there then, as now with us, a *constitutional way to change or amend our laws, and to remove unfaithful officers*. There is no analogy or resemblance in the cases. With us, if the laws do not reach the evil, let the people, in a constitutional way, make laws that will reach it. The wrongs complained of in a popular government, cannot make it right or expedient to paralyze all law. *It is law, and not lawlessness, we want*. Our government, as Chief Justice Marshall has said, is "one of laws, and not of men." It is the people, but the people embodied in a written constitution, and in written laws made in pursuance of that constitution. So ample and so specific is the method prescribed in our constitution, and in our laws, for amending or changing them, that it is the decision of the Supreme Court of the United States that a *revolution by force is impossible*. See decision in 7 Howard's Report, in the Rhode Island affair. It must be so; for if there is not a constitutional way of correcting the abuses of popular governments, they cannot stand.

Then as an humble and unworthy minister, of the gospel of the free grace of God, occupying in his providence an outpost of civilization and of Christianity, I would acquit myself in my own conscience and in the eyes of the Christian world, so far as it shall have knowledge of these things, by bearing this my testimony against all Lynch law, and in favor of the supremacy of the laws of our republican country. I protest, then, against your repeated committals of the Church of our Lord Jesus Christ, to the measures carried out by the Vigilance Committee in violation of the laws of the land. I protest, also, against your making the pulpit their advocate. As ministers, we have a more sublime theme—to *show unto the people the way of salvation*. And I protest against your teaching Christian men, whatever others may do, to leave the Sabbath-school and the prayer-meeting to engage in overturning the established laws of the land, even on the plea of purifying society.

Finally, as to the great Robert Hall's preaching to soldiers, it were well for us to remember that they were not citizens armed to trample under foot the laws of the land—armed to arrest citizens, and haul them before a Lynch law court and try them

in secret, and condemn them, and exile or hang them without a trial by jury, as the Constitution directs. They were, if I recollect correctly, soldiers armed to repel an expected invasion of England by Napoleon. I have not the vanity to compare myself to the great Briton, nor the "most seraphic spirit of his age," Jonathan Edwards; nor with the eloquent President Dwight, whom you name; but I venture to say with a profound veneration for these great men, that there is nothing in their lives or works that is favorable to Lynch law or mob violence. And also, that though I have not preached in favor of the people taking the laws into their own hands, nor encouraged my congregation to do "the work of God" by disregarding all constitutional authority; yet I venture to say that I have preached according to my ability, more frequently before "armed volunteers" than either of them, and probably oftener than all of them ever did. And I am ready to do so again, when, as in their days, our volunteers shall be armed to go forth against the enemies of their country, and to repel invaders upon our soil. But the case is wholly "changed" when it is brother against brother, and an American city is in arms against the chief magistrate of the State. I cannot preach in favor of governing this fair city by the cannon's mouth. My platform is the *Bible* and the *Constitution* and the *Union*, just as they are.

Very respectfully yours,

W. A. SCOTT.

SAN FRANCISCO, Aug. 4, 1856.

Let me here state, that I am not so vain and foolish as to fancy this audience compliments any other man than the Rev. gentleman under review, and more the Vigilance Committee than him, for I am unknown to the public, nor can I hope to do full justice to this important subject, upon this, my first attempt to address an adult audience, in so public and peculiar a manner.

The fact that a mere untitled boy, should announce that *he* will review the great Rev. William A. Scott, who has been made a D. D. of by an honored College, and who is admitted to be one of the ablest and most profound thinkers, and powerful speakers, not only on this coast, but throughout the English-tongued world, argues not only boldness, but something else. It may be conceit, or possibly conviction. It bids fair to earn me the title of *irreverend*, which would be accurately expressive of the fact. Nature made me with a deep hollow in the top of my cranium, and phrenologists have pointed me out as a curious case of deficiency, in the bump of reverence. Yet I do reverence and worship the Almighty God, but no one less.

Since announcing this lecture, I have been waited upon by numerous friends, some expressing doubts as to my ability to do justice to the subject. To such I have of course confessed to similar doubts, and have solicited them to obtain a better and older man to relieve me. They have failed to do so, and being fully persuaded that the thing ought to be done by *some* one, able or not able, throwing myself upon your indulgence, reflecting that if I make a total failure, still no one but myself will be heavily damaged, and that I will only have bored

you with a sermon which you might otherwise have been forced to listen to elsewhere, I appear before you as an advocate of truth.

A QUARREL WITH MR. BRAYTON.

Having been placed in a false position before a portion of the reading public of San Francisco, by the editor of the *Evening Post*, here let me say, that this lecture is not only unprompted by the editors of the *Pacific*, but is delivered in direct contrariety to the advice of the Rev. Mr. Brayton, who in his over sensitiveness, lest it should seem to the public that *he* had prompted me to fight his battles, uttered an absolute falsehood* in print, which I feel bound to correct in the very beginning of this lecture, as he apparently is resolved not to in his paper, although respectfully, repeatedly and earnestly solicited by myself to do so, and which he promised to do as I understood him.

When I first advertised this review, in speaking of myself, I employed the words "Mr. Carroll, of the *Pacific* and *Evening Post*," in both of which papers the Rev. Mr. Brayton is the editor. This displeased Mr. Brayton. I presume he felt a little like scripture David's big brother Eliab, whom we read about awhile since, when David asked, "who is this uncircumcised Philistine, that he should defy the armies of the living God?" I judge so, from the fact that he asked almost the identical question of Eliab, viz. "Why camest thou down hither, and with whom hast thou left the sheep? (I was formerly *juvenile* editor of the *Pacific*.) Am I not able to fight my own battles, that you must advertise a lecture, and go in savagely, stealing my mantle?" He did not say so, but doubtless he thought within himself, "I know the pride and naughtiness of thy heart, and I'll fix you off by editorially whipping you, and afterwards severely letting you alone, or talking kindly and patronizingly of you," as he did last evening. (Oct. 11.)

These modest questions he published, along with the gratuitous falsehood, that the only relation I held to the *Pacific* and *Evening Post*, was that of a contributor(!); but lest I do him injustice, I insert what he said in the *Evening Post* of Oct. 3d.

* See Appendix A.

MR. W. CARROLL.

An advertisement of a lecture by Mr. Carroll, upon Dr. Scott's letter to the *Pacific*, appeared in our columns last evening, in a shape quite objectionable to ourselves and which we should have required to be changed, had we seen it. It spoke of "Mr. Wm. A. Scott, sometimes called doctor." We would state in behalf of Mr. Carroll, who wears a white, broad-brimmed hat, that this was not an intentional disrespect, but only a sticking out of his quakerism. Another objectionable point is that Mr. Carroll announces himself as 'of the *Pacific* and *Evening Post*.' This unqualified statement would make us a party to the lecture. We are in no wise responsible for it. We wish no other to answer our letters for us. We will speak for ourselves. Mr. Carroll is a man *sui generis*. He holds no relation to this paper or the *Pacific*, save that of a contributor. We have allowed him the utmost license, because we believe in free speech."

I can believe the last part of this kind and well-meant article, for he himself takes the greatest latitude in speaking, that a clergyman ever ought, viz. that of departing from the truth. However, it was *his* paper, and I presume he desired in this as in other ways, to give me a gentle hint, which I have taken. I have written the last article for that sheet until I own it by honorable purchase.

I hold in my hand, press copies and original letters, among which is an article of agreement, dated July 10th, 1856, signed, not in the presence of witnesses, as I now regret, by which I was made editor of the Juvenile and School department of the *Pacific*, without pay or prospect of it, and at the solicitation of Mr. B., I sustained, by a verbal understanding, a corresponding relation to the *Evening Post*, for which relation and its sequences, it will yet appear, I am to be removed from a position which is my present sole reliance for support, worth \$3,000 a year, with opportunity for mental improvement.

But for the fact that I was an editor in the *Pacific*, at the time when the "Dr. Scott letter" was dated, (Aug. 4.) it would never have occurred to me, to *assume* the bold stand I have upon this occasion. Mr. Scott spoke of writing to the *principal* editor of the *Pacific*. Mr. Blakesly is the other one, to whom doubtless reference was by implication had, and so I understood it at the time; but I resolved to let it be known to San Francisco, for the benefit of the papers I was the Juvenile editor of, that there were *three* editors, and moreover, that there was a good portion of the paper devoted to the school interest.

I have repeatedly urged Mr. B. so to square himself in his daily paper, that he would have the power to make written articles of agreement with me, to show conclusively what my

relation to the paper is, but he has avoided doing so. Why, others must judge.

I make this explanation after patiently enduring from him what I would not from any one whom I respect less highly, *not* from ill will, but to remove a prejudice from the minds of some of my audience, which would otherwise detract from the effect of what I say.

I desire to guard you against forming a wrong opinion of Mr. B.; I have not called him a *liar*; he has simply, and without much guilt, told a singular falsehood, (for the accurate definition of which word I refer you to Webster,) and has abstained from retracting it, after promising to do so. I am persuaded, that at the time he penned the article just read, over-sensitiveness had dethroned one large element of a sane mind, viz., memory. That his heart is all right is evident, not only from the kind spirit of the article itself, but from a note of the next day, which opens with "Dear Brother;" and I trust mine is too, although I penned one of the same date, concluding with "no longer yours, &c."

A FATHER'S REBUKE.

But Mr. Brayton's opposition was a trifle, compared with that of others. My proud-spirited, tender father, whose hairs are beginning to gray with age, resident in Philadelphia, has written me in reply to my avowal to him of a religious conviction of duty, and consequent *determination* no longer to be a slave to party for the sake of bread and butter, and an honorable post in the government, a most touching, exciting, and almost heart-broken letter, urging, beseeching, and entreating me to desist, and aiming to convert me to a "law and order" man, and to get me to show deference, if not respect, for the Democratic Party.

My father is wise. He has *found* the world to be a hollow and hypocritical thing—that self-interest sways—that a disinterested act is either misconstrued, unappreciated, or soon forgotten. Young as I am I have learned that too. But what follows? Must I be *as* the world I mourn over and despise? Must my guiding star be interest too? Must my pocket rule me, or must the fear that a noble wife, and possibly tender infant, may weep bitter tears over the "folly" of a husband and a father, induce me to judge of right and wrong through dollars and cents, as I

have been broadly told I should by a man who stands high in the church, in the estimation of his fellow men, and in the Executive of the Vigilance Committee? Must I be guilty of the same littleness, or weakness, that all San Francisco now believes a great and learned man has been, and truckle and slink before the loss of *visible* means of earning food, and I yet *dream* I am a Christian? Is there no conscience within me, whose prompt and uncalculating decisions are to be regarded as the voice of God in the soul? Is my "quakerism" to be confined to my broad brimmed hat, and my own soul despise itself? Where is my faith in God, and my faith in truth, nobility, justice, boldness, transparency, child-likeness, and honest naturalness? Where?

Here, sirs and ladies, here! It is in my soul, and God helping me, it will stay there!

Truth, duty, and sound principle sometimes must lead us counter to even parental advice, and often in the teeth of self-interest. The staunch and ultra principles of Jesus Christ, which are but poorly taught and illustrated in the Christian church of the present day, will *now* often array a son against his father, and the daughter-in-law against the mother-in-law.

OPPOSITION OF FRIENDS.

The advice of my nearest and best friends, whom I *know* would not advise me to my hurt, has been also given against this lecture; and members of Calvary church and congregation, whom I highly respect, have joined in the solicitation. Several members of the Executive Vigilance Committee have expressed their views adversely to the wisdom of delivering the review, and I hereby disclaim all instigation from that body.

FEDERAL OPPOSITION.

I was giving way in heart, and was about to abandon it, when a man high in authority *in the* FEDERAL GOVERNMENT, sought to frighten or intimidate me, and I resolved at once *not* to back down. My sole supports till then—and I should never have looked for better—were a noble wife, and the God of liberty, and here I stand, and in their name and by their authority, and that of a bold and consciously honest man, I speak to you, be-

lieving confidently that in at least a *few* hearts I will find response, when in the words of bold young David to his elder brother, I reply to one and all:

“*Is there not a cause?*”

This you may regard as my major text.

CORRUPTION OF THE PRESS.

But before I go on I have yet to *begin* to expose, and direct public attention to the lamentable corruption of our public Press.

When threatened by the officer to whom I have referred, I immediately wrote out the facts for publication in the *Evening Bulletin*, and took them to the editorial room.

Thomas S. King refused to publish them, not, as he told me, because of the length of the communication, or its personality—not because of its literary defects—not because it was not of interest and importance to the people, but because *I had once said and published, that the EVENING BULLETIN, under his control, is not a virtuous paper!*

It is true, I did say so, and since making that assertion I have had no reason to change my opinion, but on the contrary much to confirm it, and so I told him. When I shall have gathered a little more evidence, I think it will be my duty to announce a lecture on the birth, growth, life, and death of the *Evening Bulletin*. Yet if its defects be reformed I will not.

I am both indignant and mortified! *Indignant*, that the editor (!) of the most widely circulated sheet on the Pacific coast would allow his personal antipathies to suppress a matter that might involve, nay, that probably *will* involve the lives and pecuniary interests of hundreds of our best citizens, and allow a foul blot to cover that page of American history, written by the virtuous anomaly of the nineteenth century, and of the Christian era; I mean by the San Francisco Vigilance Committee of 1856!

I was *mortified*, to think that such a school-boy—such a child—such a baby—such a cur—nay, such a pup, should disgrace that high seat that James King of Wm.—honor to the very name!—made more renowned than that of General Winfield *Scott*, the hero, not of battle-sermons, but of our nation's battles!

Turned from the doors of the *Bulletin*, I took it to the *Alta*.

They would not publish it without the privilege of altering it; but finally I took it to the *Chronicle*, where Mr. Wm. L. Newell was willing to receive it as an *advertisement*, and charge me only \$30; but through the influence of Mr. Kingsbury, the editor, they knocked off \$25 from the price, and so the thing got printed as an advertisement, and *among* advertisements. Yet I venture to say that not more than two hundred men in San Francisco have read it, nor do I know that a single, so called Vigilance Committee paper, besides the *Bulletin*, has even noticed it; and its motive in doing so is none other than that of business policy, as I have better reason for thinking than most of my audience would imagine.

Resolved to publish it in *some* way I read it now :

THE FEDERAL GOVERNMENT AND THE VIGILANCE COMMITTEE— THOSE SECRET INSTRUCTIONS.

How far an honorable man is warranted in publicly reciting an officially personal conversation, is a matter of doubt in my mind, but the importance of this subject seems to outweigh minor doubts of propriety, just as much as right does etiquette. It is fraught with interest and moment, not only locally, to the members of the Vigilance Committee, but to all who sympathize with them, and with genuine Democracy, liberty and independence, blended with virtue, throughout the world. I am resolved, therefore, to hold back nothing.

The special agent of the Federal Government on this coast, (Mr. J. Ross Browne, who is personally a friend I highly esteem,) yesterday threatened to *suspend me from office*, if I persist in lecturing upon Dr. Scott, and the Vigilance Committee, as I have announced I will do. On this subject I trust even a long communication, narrating what was said, and *how*, will find space in your columns. By request of Mr. Browne, I called upon him at the Custom House, and being closeted, the following conversation, in substance, took place.

Mr. B.—“I have heard numerous complaints about your connection with an evening paper, which is opposed to the policy, if not principles, of the Democratic party, and of the Administration at Washington.”

“I have been connected with an evening paper, as a writer for the children, and I have likewise contributed communications of a more serious nature. I wrote to the Treasury Department, giving information of that fact, and also that I received and will receive no pay for my services.”

Mr. B.—“But you have offended very many prominent Democrats, who have complained bitterly to me to stop you, and have you removed. I have not seen all that you have written, but I have a portion. I was shown an advertisement of a lecture, that you announce to deliver, reviewing Dr. Scott on the Vigilance Committee.”

“Yes, sir, I intend to deliver that lecture, and the name, W. Carroll, is the one which I assume in print and lecturing.”

Mr. B.—“Well sir, in accordance with instructions from Washington, I must forbid you, whilst you are an officer of the Government, on duty, from delivering that lecture.”

He then read about as follows, mentioning that Collector Latham and Superintendent Lott had, among others, received similar instructions. It will be seen that the Young Men's Democratic Club is not alone, but is decidedly *National* in its party.

Instructions.—“Mr. Browne you are required to dismiss from the service of the government all who are opposed to the principles of the Democratic party, and particularly all who *sympathize* with the unlawful organization which has arrayed itself in defiance of the constituted authorities of the State. No man who would aid in opposing the law, and its formally constituted officers, can be retained in Federal employ, nor can any officer.” The signature was not given.

Mr. B. then continued—"Now, Mr. Wiegand, I deem it only fair to tell you, that in two months you will inevitably be removed from office, and I think it your duty, as a gentleman, if you intend to deliver that lecture, which I *suppose* (!) will favor the Vigilance Committee, to resign your post as a Government officer."

"I respect your views upon all subjects, Mr. Browne, even as to my duty as a gentleman, but I respect my rights as an American citizen, and my duties as an officer even yet more highly—I will *not* resign. When Mr. Fremont is elected, as he certainly will be, I *will* then resign, if not removed before; but the Democratic party must *turn me out*, I *will* not resign."

Mr. B.—"You are taking improper and singular grounds. It is the understanding, when any man is appointed to office by the administration, that he holds to and will support the views and measures of the party in power."

"I never so agreed, and I never will. I regard myself as the officer of the American nation, and am responsible, in bond, for my right discharge of duty to the Government, according to law; but I am notwithstanding a free man. I will advocate and support what views as an American citizen, I entertain, as I have a right to, and I will support none others."

Mr. B.—"But to review Dr. Scott on the Vigilance Committee *now*, is very inopportune and unwise. The excitement has all died away, and people are returning to old, well established and wholesome rules of action. Dr. Scott's views are known, and if you review them whilst you are yet an officer of the government, you will only stir up and excite the people (great bugbears, those people!) afresh, which would be *particularly* unfortunate *just now*."

"Mr. Browne, although I feel it my religious and political duty to oppose the national success of the Democratic party, as far and as powerfully as I can consistently with my other official and social duties, still I foresaw the *impropriety* (not *wrong*) of my either so writing or speaking over my proper name whilst yet a government officer; hence, partly, I assumed that of W. Carroll."

Mr. B.—"But when you come out before two or three hundred people to lecture, do you mean to tell me that you, the officer, will not be there, and be recognized as such?"

"Yes sir—I assert that only Mr. Carroll will speak, whilst I will not be in the room as an officer. The administration might construe *that* into disrespect!"

"Well, there is no use in discussing the matter; if you intend after this, to give that lecture, I'll suspend you from office!"

"I think you can't do it, sir."

"Yes, I can; sir."

"Will you suspend my pay at the same time?"

"I don't know about that, but I'll talk over the matter with Superintendent Judge Lott."

"How will I know when I am suspended, sir?"

"Through the Superintendent."

"When do you want an answer to the request not to lecture?"

"To-morrow."

"You shall have it sir. I desire not to act impulsively, but of this I am resolved—I will act in strict accordance with true theory and sound moral principles. Good day, sir."

What I will do! I am resolved to lecture. This, Mr. Browne, and *thus* is my answer! Go show it to your masters! Do your very best and worst! I defy you! I dare you to suspend me! As you value the electoral vote of California for Buchanan, you *dare* not! Moreover, you cannot. I hold my office without giving new bonds, until March 3d, 1857, if not removed by the President sooner. You are an agent of the administration, but as you have confessed, without powers. You are an eye, (I will not say spy, for I respect you,) and not an arm. The Constitution of the United States confers no authority on the President to delegate the appointing and removing power even to his own mother, much less to you. Be careful, sir, that you do not remove yourself by your assurance. Your commission cannot give you the powers you so childishly flourish over my head, like an overseer his whip. If the great (!) Democratic party, commences a petty persecution of a young and poor man, it only glaringly shows that she seeks game. If the first gun against California is to lay me low, as did the first official shot strike down Gov. Reeder, of Kansas, I will feel honored by the removal, for whatever else I may not be, I am a *man*, a CALIFORNIAN, and an AMERICAN, and moreover I "sympathise" with the past action of the Vigilance Committee.

"Fellow citizens of California, that large Appropriation Bill for the Army, about which the extra session of Congress was called, was not passed to simply pay officers and soldiers at the regular stations and forts of our frontiers, neither alone to quell popular sovereignty in Kansas—but to *crush* popular sovereignty in *California*! To crush the *Vigilance Committee*! Fellow Democrats arouse you! Awake to facts! Live or die, sink or swim, survive or perish, I go for human liberty, and for *resistance to tyrants*, be they formally and legally elected, or *informally* or unfairly stuffed, counted, or in any wise lied in; be they usurpers of power, or be they heirs to thrones! Californians arouse you! Shake off the shackles of Party! Divorce yourselves from a name, and prove to yourselves, to the world, and to history, that you still are *men*—that you still are *FREE*!"

Since that conversation I have received a corresponding written protest from Mr. Browne, which substantiates my assertion, and makes his denial impossible. I will not now read it all; I want to save my throat and your time, and not talk more about myself and troubles, in giving this lecture, than about the false positions which I hope to review; nor would I indulge in this way at all if I were alone concerned, and if these things were not connected with the lecture itself; but I will quote one clause from his letter that betrays a yet deeper depth of political foulness and rottenness, than even I was prepared to believe, which denies to American citizens the right to *speak* freely and fully what they feel about the *head* of the dominant political party, provided they are in government employ! But here are his words:

"An article * * * * has been placed in my hands to-day, the authorship of which you * * * * propose publicly to admit, by appearing before the public in person. * * * * The language used by you in this article, in relation to the President of the United States, is so *disrespectful* as, *in my opinion*, to call for your *immediate removal from office*!"

Californians! do you hear that! Did you ever before know what law-and-order "*proscription*" is? Do not straws as plainly show the direction of the wind, as do the ponderous old vanes of lofty steeple tops?

I could tell you more and meaner things, all of a like caste, but I wish not to wander from the subject before us, so I submit for your own consideration, those criminal sentences of disrespect which may be found in the *Evening Post* of October 3d. It is headed

"WHAT IS NOW NEEDED?"

"This is no time for mealy words and buttered phrases. Liars must be called liars sycophants, sycophants; traitors, traitors! Big traitors deserve to be characterized pro-

perly, and petty ones shamed into manly and right action. Never did America, freedom, and the world so deeply need genuine Union men and measures as now. Not Union men, who are such in name, because the breeze blows in favor of such—not Union measures, because some abstract principle demands it or anything else, but because, by the contemptible truckling of Stephen A. Douglas, Franklin Pierce, and Lewis Cass, to the southern vote and influence, they have induced the Democratic party to embroil the country, for the first time, in CIVIL WAR, nominally to *establish (!)* a just principle, long ago established, and which no one in America ever doubted, viz.: ‘BY NATURE THE PEOPLE ARE THEIR OWN RULERS!’

“Its second civil war will be in California, in crushing out the same principle of popular sovereignty here, that it seeks to in poor, oppressed, wronged, bleeding, villified Kansas, and it will succeed!

“Strange “popular sovereignty” that, which requires millions of money to *keep the people down*, and that makes Governors, with the support of Democracy, cringe, lie, and sue for aid to butcher free and clear-headed Californians, for no other crime than that they will not endure robbery and plunder, merely because it is clad in *forms of LAW*!

“The awardment of office to personal and political friends, I denounce as the very worst species of BRIBERY! It is PAY for voting and inducing others to vote! It is pay from government funds! It is perversion! It is prostitution! It is demoralizing and corrupting! I would scorn to receive as pay an appointment to office from a man I had helped elect! I would never receive or retain it, with the understanding that my liberty of thought, freedom to speak, and the untrammelled privilege of writing to my fellow citizens, should be in any wise abridged. I will never be a party man. I am not now a Republican, and I never will be. I hope “the party” will explode the moment they have elected Fremont, and free men to Congress.”

There, fellow citizens, is the disrespect! that the crime! I stand before *you* to be judged, and I’ll abide your verdict, when you have heard me!

What says our National Constitution on this subject? It reads,

“Congress shall make no law * * * abridging the freedom of speech or of the press.”

Fellow citizens, what Congress has been denied by the people, that Messrs. J. Ross Browne and Thomas S. King have arrogated to themselves. Mr. Browne, under secret instructions of a misguided administration, and Thomas S. King, in the exercise of his peculiar *independence*! Verily they are a pretty pair! Together they should be banished, not by the Vigilance Committee, but by the frowns of their fellow men! They should be made to feel wherever they go, that a REGAL stamp is on them, and that like Cain, they must seek vainly to be unknown! Californians! This high-handed outrage demands rebuke! and I thank God I am not a minister, for if I were, and should speak thus, as I certainly would, I would be denounced as mixing up church and state, and half the world would believe it.

Denunciation is more effective than argument, and when the disclaimer is right, God *meant* it to be.

For six and a half long years, and with shame I confess it,

have I borne the galling, servile yoke of party shackles; and as I have dodged the venomd darts of puny pigmies, to save my petty positions under and in the federal government, I have despised myself and felt unmanly; but this last, this *crowning*, this MONSTROUS, this SHAMELESS attempt to curb free speech and pervert the press, has broken my fetters! Henceforth and forever, I am free! Though weak and puny by nature, desperation and an honest indignation make me strong enough at least to battle and spring forth, as a kid from the eagle's nest, in the topmost height of the official craggy mount, and it may be, as I am warned, but to be dashed to shivered shreds, on crags and peaks below, and to be forgotten, whilst I rot in some dark deep crevice! So let it be, but *be free I will*, so help me God! And in my fall I will shriek out for God, for truth, and for *liberty*!

WHY NOT WRITE?

It has been urged, "Why not reply in writing? Dr. Scott wrote a letter, he did not preach a sermon!"

I reply. (1.) Because I can get no paper to print what I think, as I think it. (2.) Besides, many persons will not read, who will gladly listen. (3.) Again it is *cheaper* to talk than to print, and he who really seeks to benefit his adopted home, his country, mankind, and advance practical governmental philosophy, must learn to speak promptly, as well as think accurately; and how can one learn without practice?

But more than all these, (4.) I seek to break up that cold, calculating, barren, selfish, intellectual method of procedure, that is growing into a monster curse upon the earth, as a concomitant, if not sequence, of the great excess of printed matter that is being turned out, which must be wisdom itself to be read, and which for fear of ridicule, commonly is disembowelled of all human soul. *Feeling* can't be perfectly stuck into written words! He who feels must show it by manner and by gesture, for to pen it down only incurs derision, which some poor fools can't stand, whether deserved or not! If a merchant or a minister curls his lip, or turns up his nose, they are in mental agony, and squirm and dance around, like some learned men do, to babies, mounted in editorial chairs. That is not

my style. I value the opinions of all men, but still I do my own thinking.

Thus much for the *opposition* to this lecture. It ought to be a good one after all this, but I must throw myself upon your indulgence, for I have more heart than head by a long shot; but I am young yet. I know that you will make every reasonable allowance.

THE CHURCH AND THE VIGILANCE COMMITTEE AS BROUGHT OUT IN THAT AWFUL LETTER.

And *First*, I say that to review two and a half columns of the Rev. Mr. Scott, is no small undertaking. He commonly puts as many ideas into one paragraph, as most men of his cloth in whole sermons. He has hosts of thoughts, and he piles them on, till everything the *public* sees, looks like that pole which Caleb and Joshua came back to Moses with, lugging and tugging with their grapes, till we almost wonder if it was not really California, instead of Canaan, that the Mosaic account treats of.

I did think that my spunk would not have given up before any amount of labor, but really, when I sat down to write this review, and found I had upwards of thirtiethly, on my sheets, I said, not to myself, "W-h-i-e-u—who will ever listen to all that?" Why I could make more money by selling *exit* tickets before the lecture was over, than I need hope to at tickets of admission to any other!

It is necessary to cull out some of the more important points, and just in a word reply to a few of the minor ones. The public prints have bestowed some attention, and Mr. Bayton expects (this was written on Oct. 8th, before the *Pacific* came out,) to give him something particularly fine, so that I feel morally relieved, somewhat.

It is my sincere desire to do all things decently, and in the best possible order, even if that order may be a singular one. With this idea in view, it being Sunday evening, I choose to select not only one but five scriptural texts, trusting however, that neither these nor the "firstlies," and "secondlies," and "finalies," and "in conclusions," may so strongly remind you of a regularly-built sermon, that you will feel it your religious duty

to go to sleep. If the *Wide West* man is here, and cannot possibly keep awake, I will "decently and in order," provide him with a bed in an adjoining room; because I fully believe in those clerical numerical divisions he talked about last Sunday so fiercely. If there are those present who are conscientiously opposed to hearing any thing *like* a sermon, an opportunity will now be afforded them to retire, that there may be no subsequent disturbance. Those too, whose sense of propriety will not permit them to survive some very reckless innovations on pulpit etiquette, are also privileged to withdraw, and it is further suggested that all nose-blowing, throat-clearing, and snuff-taking, be prosecuted whilst the overly conscientious are retiring.

But for the texts: The 1st may be found in Matt. xxiii. chap. and 15th verse. It reads, "Ye compass sea and land to make one proselyte," (sending to Philadelphia, via Panama by sea.) The 2nd, is the 25th and 26th verses of the same chapter, and reads, "Wo unto you Scribes and Pharisees, hypocrites! for ye make clean the outside of the cup and the platter, but within they are full of extortion and excess. Thou blind Pharisee, cleanse first that which is within the cup and platter, that the outside of them may be clean also," or if you don't do it yourself, don't grumble if others do.

The 3rd, is in Matt. xii. chap. and 3d and 4th verses, "But he (Jesus) said unto them, have ye not read what David did, when he was an hungered, and they that were with him; how he entered into the house of God, and did eat the shewbread, *which was not lawful* for him to eat, neither for them which were with him, but only for the priests?"

Christ, it would seem, defended a violation of the fundamental law, which with some sense might be called "divine," by men who believed that God really gave it; and officers of that law were in *fact* as well as theory, and with no humbug about it, "ministers of God," yet *we* are *taught* as well as told, that we dare not, as his disciples, imitate him! Rather queer, this, to say the best of it.

The 4th is, John, viii. chap. and 10th verse. It reads, "Woman where are those thine accusers? Hath no man condemned thee? Neither do I condemn thee. Go and sin no more."

It is not difficult to say where, not only some of our Doctors

of Divinity would have stood in Christ's day if they had then lived, but to point out to a dot, where the great bulk of the Christian ministry would have stood. Christ, in their view, would have been not only heretical but immoral, because an apologist for adultery; of course they would deny it now! I wonder what the doctors thought and said in those days.

The 5th is to be found in the 1st chapter of Deuteronomy and 15th verse:

"So I (Moses) took the chief of your tribes, wise men, and known, and made them heads over you, captains over thousands, and captains over hundreds."

From this it would appear that Moses, when he organized *his* Vigilance Committee, did not allow the companies to elect their own Captains, but he appointed them. San Francisco and Gen. Doane may feel proud, for they are ahead of even Democratic Moses, even in Democracy.

The *sixth* may be found as chapter 1, verse 1, of the Vigilance Committee seal, and reads,

"Fiat justitia, ruat Cælum."

I shall not inform you of the opinions of the learned on these texts, not because I have not the books from which to quote, and radiate a borrowed light, but because common sense is good enough, and if differing from the learned would be followed after all; neither, indeed, do I intend to haul them over in the lecture to fill up. Their point and bearing I trust will be seen at once, without aid from me, for if God has really given to man a revelation, I think *he* must be a pretty smart fellow who can speak more plainly than the almighty and omniscient God. Is it not presumptuous for men to "explain" the simple words of God! Is the Bible a revelation to man or to the ministry? I proceed immediately to consider some of the positions made by the Rev. Wm. A. Scott, in the letter under review, and,

First. I quote one paragraph of the letter:

Are you, gentlemen, correct, when you assign the Church "the van of great revolutions?" Is it really a part of our holy religion to contravene our established laws and courts of justice? Does the Church teach us to defy the chief magistrate of the State, and mock at his proclamation, and to assume the administration of such power as executes the highest penalties, and to rule over the city by a secret, self-appointed, irresponsible, but armed and powerful association? If so, I have certainly failed altogether to apprehend the true nature and mission of the Christian Church. I thought its founder was the Prince of Peace, and that his kingdom was not of this world—that it consisted of righteousness, peace, and joy in the Holy Ghost. Nor

have I ever found a single text in the Bible authorizing disobedience to the civil magistrate. On the contrary we are commanded to obey our rulers, even when they are as wicked as Caligula or Nero. Nor can I find where the Church has any commission to put herself in the van of any other revolution than that of preaching peace to all nations through the blood of Christ. I certainly yet have to learn, either from Church history or from the New Testament, that the Church has any commission to drive men from vice by the bayonet, or to exile them from their homes and native land by the fiat of a Vigilance Committee. I know not where the pastors who "have preached in favor of the Vigilance Committee," and have "animated their people to go forward" in its support, "as the work of religion, the work of God," could find a text."

The conclusion of this paragraph would lead us to suppose that the writer of that letter had been seriously cogitating the question,—"Shall I preach Vigilance, or not?" that he had been pondering the subject, his heart right, but head wrong; that he got into a quandary, supposing the Kingdom of God was a thing of abstractions and emotions. We can fancy he soliloquized thus: "This idea of "righteousness" is an "*imputed*" righteousness, for "there are none righteous, no not one," in fact. "God's righteousness," is a kind of legal fiction, not a stubborn, stern fact to be required of man; it grows not out of works, but belief; hence the "righteousness of that text would not do to preach a Vigilance sermon from for those Vigilance men only go in for righteousness in politics and government, which are things the church ought never to meddle with."

Then we may imagine he got asleep, and even his dreams could not suggest a text.

I feel sorry for him; I mean to try and help him, even uninvited. I do not hope to give him a better than he has given us, but I do propose to submit two that will *sound* all right any how, and that you know goes a great way in this world. One may be found in Paul's first epistle to Timothy, 3d chapter and 2d verse. Before reading it however, let me premise that in Presbyterian faith, in which both Mr. Scott and I may glory somewhat without sinning, the word "bishop" is equivalent nearly to "a pastor," and Paul there writes, "A Bishop * * * must be blameless, the husband of one wife, *vigilant*." But what applies to *young men*, like Timothy, perhaps does not to old ones like Wm. A. Scott, so I refer to the teachings of the Apostle Peter, who, though not so learned as Paul, was a man of good stout sense, and he, in a general epistle to young and old, to green and gray, to white and black, to man and woman, says, (see 1 Peter, 5th and 8th) "Be

sober, be VIGILANT; because your adversary, the Devil, * * * as a roaring lion, walketh about seeking whom he may devour, whom resist." Now I do not accuse Charley Duane, or Billy Mulligan either, of being his majesty the Devil, but I do say I would ten times rather have the Devil to fight and hate me than those belligerent angels of light; and I trust no influence, power, or preaching may ever save their necks, if ever they set foot on San Francisco soil *again*; not that good men hate them, but that to *all* men, except the evil doers, they are a terror, notwithstanding they were for so long a time the ministers of God, "*divinely*" appointed (by themselves!) through the stuffing of ballot-boxes, false counts and oaths, and through tally lists made out to order.

Theology needs patching.

Second. Just as a minister who is a leader of the blind ought to feel, the Pastor of Calvary Presbyterian Church, does hate most terribly to err, but doubtless upon detecting himself he will amend, as a fair and even *politic* man always will. He even hates to be *suspected* of erring in the least trifle, even on the side of humanity. I fancy that if Jesus Christ were editor of the *Pacific*, under an assumed name, and should say to a woman taken in the very act of adultery, "Hath no man condemned thee? neither do I condemn thee, go and sin no more," and if He should urge on Christians, without an *indisputable* "text" for it, to follow high instincts and noble feelings, and to judge partly at least by the heart, we would find some unlawful organization necessary to stop Him from being crucified afresh, by low fellows, stirred up by modern Scribes and Pharisees, or crushed by letters from a next door neighbor, sent *via* Philadelphia and Panama; or perhaps the route of letters might be changed a trifle, so that the blow, falling through a greater space, might have a multiplied power or "effect," and the letter for that time might go through China, thence, *via* India and the overland Asiatic route, to Europe; thence to New York, thence to Philadelphia, be printed in the "*Presbyterian*," (that most "old foggy" of all "old fogy" sheets,) and then be sent by way of Panama, and finally reach Him on Merchant street, from Bush, near Montgomery! My! but it would be severe! Might it not make even Deity tremble!

Even *now* a severe rebuke has been administered by the Doctor of the Law upon a brother, but *then* it would be far more terrible

on a Lord and Master! *Now* the letter is in self defense, then it would be in the nobler work of rebuking immorality. *Now* the great man, this champion of the Philistines, who writes for *heathen Journals* at the East, and assails, well-meaningly, the good, desires his Christian friends not to imagine that *he* has incited the lambs of his flock, to let their horns grow and become rams, and like the ram in the prophet Daniel's vision, "push others to the westward, and northward, and southward," (and eastward,) or urge his people to "Lynch" "untried" men out of warehouse windows, and thus informally obey the God who has said "who-so sheds man's blood by man shall his blood be shed." Not he! Rather would he compass sea and land to make one proselyte; and then what he would do with him I don't know; but possibly go in for making him ten times as hot an advocate of *legal* hanging, using the Vigilance men, (except of course his personal friends and church supporters,) for victims, as he is suspected of being himself; for is not Vigilance treason!

Thou blind guide! It is well for thee, and for virtue, and for mankind, that you lead not the blind! That they have other leaders, whose eyes and hearts are open! Practically thou sayest, whosoever shall swear by the temple, it is nothing, but whosoever shall swear by the *gold* of the temple, he is a debtor. Whosoever sins against man's rights, trampling liberty, property and life beneath his feet as would swine pearls, it is nothing; but whoso shall dare raise his hand to stay—his pen to check—or his voice to warn against the *forms* of justice and liberty—he is infamous! let him die the death!

Third. Says Mr. Scott to Mr. Brayton, "I am constrained to address you, because I have been a frequent contributor to your columns, and have done what I could to increase (the) circulation (of your paper) on this coast, as a *religious* paper. And because I have done so, a necessity is now laid on me to express my dissent from your views." I have *helped* your paper as a religious paper, but I never will do so again.

Thou learned fool! The beam in thine own eye at length has blinded you, and yet you are endeavoring to pick out motes from your brother's, and I grant there are plenty there. Do you not fear that in your efforts to extract the motes from "brother" Brayton's eye, you may run the beam against the house walls and

knock them down? Possibly, upon the principle of action and reaction being always equal, but in opposite directions, you might tumble yourself, whilst the walls stand. "First cast out the beam out of thine own eye, and then shalt thou see clearly to cast out the mote out of thy brother's eye."

Fourth. In Mr. Scott's view there are "constitutional" ways of treating murderers, but in fairness it must be said, there are also "constitutional" ways of making the law of God and man of none effect. Up to the time of the organization of the Vigilance Committee, less than half of one per cent. of all the murders committed here went unpunished. Truly he *must* stand on the Bible (!) and the Constitution *both*, to hate the organization, which has acted like the young man in Christ's parable, who said "I go not sir," yet went, whilst the civil law says "I go sir," but goes not? Which of these, my hearers, think you did the will of God, and by what rule will you judge of the tree, its fruit or its anatomy? God will judge of it by its fruit—the foolishly scientific, whose excess of learning has made them mad, will go in for anatomy! It is defensible upon both grounds.

Although our learned townsman, may, as he says, stand on *both* the Bible and the Constitution, it does seem to me, that he stands on only one foot, and that on the Constitution, merely touching the Bible with the toe of his boot, as men sometimes do intruders in their counting houses and offices, or else he stands on neither; but whilst he decries "political ranting," he himself rides a "Union" hack, and cries out with all the other ranters, not of the pulpit, but the stump, "the Union! the whole Union! the Union right or wrong! and nothing *but* the Union."

(People who live in glass houses should never throw stones.)

Fifth. This strain of attack upon so prominent and useful a minister, will seem to many persons not only uncalled for, but unwise. I defer to their opinions, but also differ:—we must remember, that the letter we are now reviewing is itself a most merciless review of another clergyman, and he not in the receipt of a large income, from either church or paper, but one who has manfully and nobly struggled along, without living receipts, in sustaining a religious paper that is as much superior in standing to many of the namby-pamby, so-called religious papers of our country, as is the *Town Talk* to the *Sun*. Strange as it may seem, Mr.

Brayton's *Pacific*, notwithstanding it is "religious," has always been characterized for good sense.

But this is not all. It will be seen from the following extract from Mr. Scott's letter, that all religious teachers are deserving of review when they err, and lend the influence of their names, standing, and position, to a bad cause: "I address myself to you because, as editors, you are before the world as public men, and, as the conductors of a professedly religious paper, you are teachers of Christianity; and as leaders of the people and preachers of the gospel of Jesus Christ, you have no small responsibility to share for urging on the people to contravene the established laws of the land." I have therefore a high sanction for thus, in the name of God and the people, calling the Rev. gentleman to a crude account. I have no wish to bring down upon him, or any one, or his church, or any paper, the slightest evil; and if I had, I do not flatter myself that any such effect will follow. I would rather rejoice in his repentance and conversion, little as I expect to see it; but if he persists, he will incur a more fearful displeasure, by far, than that of any man or set of men in San Francisco; viz., that of the Almighty God of liberty; and what is deeply to be deplored, for himself and family, History will write his name, as a defender of tyranny and oppression! Should he repent and confess his error, no man in the nation would stand higher. May God grant it!

Sixth. I have met good men, and men of prayer, who rejoice in that letter from the basest of motives. It would be wrong for me to allow this opportunity for rebuke to pass by unimproved. Their lips do not say it, but their eyes and grinning muscles, and their spirit betrays it; and would that I could say *the ministry* is entirely exempt from it! but I cannot. These men glory, thinking that "the Doctor's day is over,"—that "he missed his mark." They hope that some of his wealthy hearers will leave his church, and that, by working their cards aright, the church expenses of *their* particular "Zions" will not be so heavy to them personally. They see ahead of them, horses and carriages, new furniture, &c., all of which they have staved off to help "the cause."

If I were a rich man, in Calvary congregation, I would not *budge* from there pecuniarily, for at least one year! I would

brave and battle such meanness and wireworking Christianity! I would scorn and spit upon the foul tongue that would dare broach a thing that *savored* that way! I would *stick* there, *because* I disliked the man, frown on, and openly oppose his views—but be caught in such a trap—be snapped up by such religious politicians, I *would* not whilst reason and nobility of heart endured! And to those mean miscreants themselves, whether lay or clerical, let me, although not a minister, advise a word,—“Seek first the Kingdom of God, and His righteousness, and all things needed will be added unto you.” “Repent and be converted, that your sins may be blotted out.” Trust in God and bold truth, and not in wire-pulling and managing the dollars! Be men! Attack wrong! Go ahead of the people! Cease to follow in their wake! Be honest! Claim nothing for the pulpit or the church, that is not clearly their due! It is just as wrong to bear false witness in favor of your neighbor, or friend, or church, as it is *against* them! Lie not to the people! When they arise in their might and virtue, and do deeds of righteousness, whilst you are considering, or it may be preaching only the “principles” of these things, too cowardly to give them a bold and practical application, let God *and the* PEOPLE have the praise! It does not belong to the ministry or to the church! Do not disgust the honest and clear-headed among outsiders by such false, sneaking claims as the *Pacific* put forward, and at which Mr. Scott very justly and pointedly hints a doubt when he asks,

“Are you, gentlemen, correct when you assign the church the van of great revolutions?”! It is business men,—and, alas! too often infidels,—who are in truth and fact in the van!—these are the pioneers, and not Christians, as such, as they ought to be! There is no more certain way of keeping honest men out of the church than to convince them that the church and its ministers lie! Therefore if for no higher motive, lie not, for you *can* not fool a good, thinking business-man on such points.

Seventh. This most unlooked-for position of our great townsman does indeed seem wonderful and difficult to account for; but imagining that some of James King of Wm.’s “At Churches” have “hit” him, and caused a *feeling* of condemnation for some of his defects—and that King of Wm., had defects it is folly to deny—and may have caused the reverend gentle-

man to forget King's hundred virtues and noble characteristics, and when shot, to regard him as but a man—as *one* of the citizens of the town—as *a* member of the human race; and to make all the fuss over him that the people were a-making, may have seemed to the good man preposterous—and then too, the *Herald* feeling the same way, having been knocked into a cocked hat in a jiffy, our good divine possibly may have felt himself left-handedly beaten, and his feelings “got up.” Then, right on top of this, perhaps some poor fools, glorying like children in their demonstrated power over the *Herald*, may have thought to “try it on” the preacher; but they found their match!

Whatever else Mr. Scott may not have, I venture to say, that notwithstanding he despises phrenology, there is just behind his ear, a big bump whose phrenologic name is combativeness, and on the back-top of his head there is another, whose name is firmness; and get these two up together, with the heart already a trifle biassed, and sympathy with the *Herald* aroused, a man of *his* intellectual bore, will not be slow to marshal conscience to a post, and then “pitch in” as boldly as a regard for friends, and vested rights and interests of others would permit. This seems to have been his course, for he *says* he was threatened,—that he was told he would “lose his congregation” if he did not preach and pray to order.

The dastards who dared so *threaten*, are unworthy the name of men! The names they are known by, ought to have been publicly read from the pulpit! No personal friendship should have screened them! They are infamous! He who seeks to intimidate another, especially through the pocket or by violence, is an *arrant* coward! It is difficult to find a word too strong to apply to it.

But possibly there was no threat in the case. Possibly some personal friends came to Mr. Scott, and said, “Now, Doctor, I entreat you not to speak your mind, for if you do, we *predict* that you will lose your audience. Look at the *Herald*!”

Such action would have been not cowardly, but really kind; but though kind, still not noble; and I am surprised that a man of Mr. Scott's strong, bony, iron sense allowed himself to be bamboozled and checkmated in this way. His plain duty was, to take some such text as this: “I believed, therefore *have I*

spoken," and he ought to have given *what* he believed, whether it made or broke him with others! What is \$8000 a year, and the affections or approbation of man, to the approbation of a manly conscience and the smiles of Almighty God! I'd like to see the man, the influence, the *King*, the government, that will ever again seal *these* poor lips as they have been by moral cowardice through years, and, I repeat it, though the grave be my lot, and starvation lay me there, I'll die free as air and bold as the Devil!

Eighth. I admire Mr. Scott for his resolution, and "Old Hickory" spirit. I would that he were on the right side. Whilst off the track, still he is a veritable, and good old iron-horse, and once got back again, he'll drag his train as proudly, nobly, dashingly, and certainly as ever before. There was a switch in the track wrong somewhere, and the best and mightiest of locomotives would be *bound* to get off:—get him back again, and fix the track, and I warrant you, he will go all right yet. Ever since he has been *off* the track, he has acted just as a first-rate locomotive off the track *ought* to act; and there is nothing in the world more quixotically ridiculous, than to see savage editors, and boiling-over deacons, come running out with their moral cannon, rifles, pistols, and pop-guns, to *shoot* the old iron-horse, instead of coming with their crowbars, their ropes, their pulleys, and their teams, and hitching fast of some big rock, bigger than the locomotive track and all, pull unitedly to get him right again. His "drivers" are a little damaged, and he limps; but they may be easily repaired. He has not blown up, and he *will* not! Mr. Scott is a man of moral deeds, as well as words!—go be you like him! He is a man of moral backbone! and if he finds he is wrong, he will have the courage to say it; and if he don't, he will have the boldness to defend himself and his views now, as he desired to in the beginning! His letter to the *True Californian*, has not been re-published in other papers, with the manly frankness that ought to characterize journals, which so joyfully glut over his misfortune. It would not do him credit to publish it entire, but justice requires a publication of some of the facts, which therefore I give, in his own words.

"Editors of *True Californian*." I have to acquaint you with a few facts, of which you must have been ignorant.

"1. I was absent when these unhappy affairs commenced. It is well known that when I got home the city was glowing like a furnace. I could not recall the dead. Nor could I undo what had been done, much as I was grieved at it. The question for me then as a citizen and a Christian pastor, was, how could I best succeed in pouring oil on the troubled waters? And without compromising truth and duty to principle, promote the peace and welfare of my congregation, and quiet the public mind. The conclusion to which I came was, that my duty was to continue to preach the Gospel, and read and expound the Word of God in regular course, just as I had been doing. This was the course I took.

"2. Very soon, however, it was made apparent that I was misrepresented, and that it would therefore be proper for me to make known my view of the proceedings of the Vigilance Committee. As such themes did not come, according to my views, within the proper sphere of the pulpit and the Lord's day, I invited all the officers of my congregation to meet me in my study. They did me the kindness to come, and I laid before them, in as full and plain a manner as I could, what my views were—showing that my *education, antecedents, conscience, principles, and relations* to the Church of Christ, were such that I could not for one moment approve of the proceedings of the Committee. I wished to have their approbation to publish my statement to them at that time. They agreed, unanimously I believe, that I had the same rights as to my conscience and principles that they had. But they advised me to wait until the excitement might subside. They told me it would do no good to attempt to reason on the subject then. A few days afterwards they requested me *in writing*, for the sake of the public good, not to say anything on the subject. Out of regard to their wishes, as the representatives of a generous people, who had treated me with great kindness, I did not then publish my letter. I continued to read the Word of God, and to preach it as before.

* * * * *

"I also remonstrated in *three* letters to the *Rev. Mr. Brayton*, on the same subject against his course as an editor of a *religious* paper—these letters contained the substance of my letter to him in the *Presbyterian*. I also wished him to publish our correspondence *at the time* in his paper, if he thought it would do good. I also acquainted him with the fact, that I would write to the East, on the subject. Still I delayed writing more than a month. I did not write until I was so wholly misrepresented that it seemed to me to be necessary to show that I did not approve of the Vigilance Committee. I supposed I had a right to hold my own principles without *proscription*"

(Who does not feel like shouting Amen!)

"And to publish them when and where I pleased without having my motives impugned, or being subjected to such charges as you make. And I had supposed I was at liberty to pursue what course I thought duty called me to, in reading and preaching the word of God, without having the whole tribe of *Vigilant* newspapers pouring down their thunder on my head. Other clergymen could do as they pleased. They could pray and preach for the Committee, and fill the Atlantic papers with elaborate vindications of its doings, and by name and by inference put me in a false position before the Christian world. But after all this, if I *write* a letter to the East, in which I show that on Bible grounds, I am wholly opposed to the Committee, then I am to be hunted out of California, as one of the greatest malefactors ever banished by the Committee."

(Never, old worthy! Or if so, not alone, for one of your reviewers at least, will stand by your principle to the death!)

* * * * *

"The front of my offending is,—

"*First*. That I could not, as a *free and independent* man, and as I hope, a *faithful and good* citizen, and as a *preacher of the Gospel*, give my desk and my voice to the Vigilance Committee against my convictions. And,

"*Secondly*. When the *proscription of the times* was carried so far that even silence was construed into acquiescence, or something worse, then I at various times and in various ways, uttered and published what I believe to be the true Bible doctrine touching this whole most unhappy portion of the history of San Francisco. I have tried to do my duty to my fellow citizens, to my congregation, and to my God. I am perfectly willing and happy to abide all the consequences.

Respectfully,
W. A. SCOTT."

"October 4, 1856.

I desire it to be distinctly understood that, whilst I censure and pour contempt upon the false views and principles of Mr. Scott and everybody else, I distinguish between their views and personal character. It is no crime to err honestly, nor no virtue to think truthfully;—the one is a misfortune and the other a blessing, and I have yet to learn, that those who are blessed of God are thereby authorized to turn around and persecute those who are already suffering. It is mean!—it is contemptible!—it is ignoble! Whilst, therefore, I pursue criticism of views, let no one imagine I feel personally hostile to Mr. Scott.

Ninth. He further asks: “Does the church teach us to defy the chief magistrate of the State, etc.” To me it does not matter a straw *what* “the church” teaches. I simply ask “what is right and best.” In considering this question, I weigh well the teachings of Christ, and of noble, unselfish men; having decided, I write, speak, and act. Although Christ, the reputed founder of the present Christian church, *is* styled the Prince of Peace, still when first He came, it was “*not* to bring peace on the earth, but a sword.” Although the time is not many centuries distant when he *will* return to the earth and rule, as Immanuel, as Prince of Peace, and as King of Nations, as he now is King of Saints; when there *will* be a season or day of righteous judgment or government of all nations, and when to him, who will be “the desire” and father “of all nations,” grateful incense and praise will be daily offered up, probably in Jerusalem, with its temple miraculously rebuilt, and the now despised and scattered Jews re-gathered to their home, and under Him will be reconstructed into a nation of twelve tribes again, as at the beginning. Still, about the *present*, there can be no doubt whatever. No just view of Christ’s life or teachings can countenance the idea that a real Christian’s life will be anything else than a scene of turmoil and strife—a battling of right against might, and love against hate. Evil is to be *overcome* of good, and not smiled, cajoled, hinted, coaxed and bowed at, but to be battled and crushed with moral weapons, if they are effective, and if not, then with carnal, George Law muskets and Sharpe’s rifles!

A Christian, who is worthy of the name, is a warrior at the right time, like Washington. He who really assumes the Christian armor, (I do not say the pasteboard, theater-like *fac similes*,

so abundant in our churches!) counts well the cost, remembering what Paul said, that "All that *will* live Godly in Christ Jesus *shall* suffer persecution."

That peace and joy, which the scriptures teach belong to the Kingdom of Heaven, will only come when that kingdom does, for which Christ taught all men to pray, in which "righteousness," or righteous men, shall rule, and not dollars and cents and hocus-pocus elected officers. Let the Bible, or anything or anybody else tell me to obey a Caligula or Nero, and *when I cannot help myself*, I'll obey, and think the advice good; but show me a chance once, and—and—and—I'd do just what the Vigilance Committee did in every case except that of Terry, if not in that too.

Tenth. I do not believe in the "divine right of kings," or the "divine right of government," in any mysterious or sanctimonious sense. Such doctrines are things hatched up to pander to those in power, and to strengthen them in the people's hearts, by bringing in religious fears and superstitions.

Government is a felt necessity of man, and *therefore* it exists. This is the whole long-and-short of it. God made man's nature, and in this way may be said to have *instituted* government. But it is plain as the sun at noon-day that this fact has no practical bearing on men's action. What if God *did* make man's nature what it is, what follows in government from *that*?! *Nothing!* but a mere childish recognition of a comparatively useless metaphysical truth, whose true place is theology as a science, and not government as an art! Suppose the *devil* had made man what he is, the very same rules of action would be necessary then as now, and that luney who would prate to practical men about the "devilish authority of government," would be not more deserving of ridicule than he who now ding-dongs by the hour or column about the "divine authority of law."

Men often recognize in theory what they do not and ought not to believe in heart.

In 1832, six hundred beautiful young women, by the legitimate authority of the Russian government, (Nicholas reigning) were taken forcibly by the formally, (and therefore "divinely!") appointed officers of the law, from Southern Polish provinces, and transported without their own consent, and in violation of

the wishes and prayers of the parents of these victims, and given up to the Russian soldiery at Woznesensk, a Russian military colony, to become mothers of Russian subjects ; whilst all the holy instincts of crushed Polish patriotism rebelled and cried out, " Rather let me die ! " as did scores by their own hands.

Did not the Rev. Mr. Scott, as a Christian minister, feel bound to pen a Pacific letter, to the *Philadelphia Presbyterian*, addressed to the clerical editor of the *Woznesensk Gazette*, for daring to lend his now crushed paper, to incite fathers, brothers, and *men* in Southern Poland, to *resist* " the powers that were " in that place ? Is the learned gentleman so profoundly Biblical, as to dare say, *that* was an unhallowed and damnable action ?

Laying out of view that these young women were not made harlots of, but pseudo-wives, and were probably as well treated as the generality of wives in that country are—laying out of view the fact, that there was a Caligulan-Nero reigning there let us imagine such things to be done in America,—as *Mr Scott well knows analogous and worse things HAVE been under shelter of so-called republican law*,—let us imagine too that *one* of the victims is Mr. Scott's own most loved daughter ! I will not do him the injustice to even *suspect* him destitute of that manliness of heart, that would make him, man of peace that he is, slash away thro' stacks of bibles, to cut the throats of the official villians, or assail *fifty churches* instead of jails, if need be, even tho' they were *filled* with deputy-sheriff's, marshals, mayors, judges, and Christian ministers besides, and that too with canons, muskets, rifles, or anything else, rather than see consummated and perpetuated, such a scheme of *wrong*, and violation of his own, God-implanted instincts ! Mr. Scott is no coward ; nor do I believe his Christianity, has deprived him of his manhood ! *But if it HAS,—if this is the legitimate FRUIT of his views of Christianity, may God save the people, from the influence of such a ravenous wolf, in sheep's clothing*, or forgive all his sins, and remove him to a happier and better world, where the wicked cease from troubling, and the weary are at rest !

If I believed the laws of the land, because constitutionally and formally made, are taught by the Bible to be the ordinances of God, and to be revered and obeyed as such, I would either

contemn and spurn as unsound and unreliable, not only the Bible, but any other *such*-teaching book, or else suspect the clause as an interpolation, unworthy of attention except to avoid.

The doctors of the law, in this, as in other ages of the world, will have a heavier account to render, for making infidels by such teaching and preaching as that, than will Mr. Cutler and Mr. Brierly for their well-timed and bold Vigilance sermons. Does Mr. Scott, intend to make men believe that laws licensing and directing liquor-selling, as do California Statutes now, or licensing gambling as did those same laws not long since, or making divorces a cheap and facile thing, or licensing or directing fornication as law now does in France,—does Mr. Scott, a minister of the gospel of the free grace of God try seriously to make men believe that these are ordinances of God, and as such are to be revered and obeyed, whilst we with our own eyes read the words of Christ, saying, “that a *look* of lust is crime in heart”?! Or, looking away from pure morality, does Mr. Scott admire and reverence, any more than he *relishes* such big things, as \$900,000 building operations, given out by law, and taxed out of a crushed and suffering people, to enrich the villian who was “*smart*” enough to put the bill through the Legislature and get it signed?! I tell you sir, men will *not* give up their common sense to anybody, or any thing, and I for one am resolved, if need be, to *twist* the Bible to common sense, rather than do violence to well recognized principles of right and wrong, in the soul of every honest and candid man. It will not do sir!

Eleventh.—Mr. Scott asks for a single act of Christ, or a single disrespectful word, against the powers that be. I refer him to Matthew, 21st chap. and 12th verse, and its parallel passages in Mark and John, in which are given the accounts of Christ disturbing the peace, as well as committing an assault and battery on numerous persons, who bought and sold, and shaved on long and short bits in the temple, and that too when He was at the head of a *mob*, and supported by them! Nay worse yet; he had just then been riding as a King, and receiving the people’s praises as such, notwithstanding he once said, render to Cæsar the things that are Cæsar’s! But this criminality was yet more heightened, when we reflect, that there were *peaceable means* of doing this same thing!

The fact is, Jesus Christ was a practical man. He knew that although there were peaceable and "constitutional" means of reaching his end, still they *WOULD not be put into operation*, hence he went to work with his unorganized Vigilance Committee, and like our San Francisco affair, without shedding a drop of blood, he preached by action! Thus much for action, and now for disrespect. I refer to Luke the 13th chap. and 31st and 32d verses, "Then came certain of the Pharisees saying, 'Get thee out and depart hence, for Herod will kill thee.' And he said unto them, go ye *and tell that fox*, behold I cast out devils, &c." Is this particularly respectful to Herod, who certainly was a pretty tall "power" in those days!

It does seem, as though almost every point of that unfortunate letter, were vulnerable and weak, in its Biblical foundations.

Twelfth. We are informed that San Francisco is but little worse in the character of its rulers than other places. I believe this, and more too, and may talk more fully about it at some other time, but must proceed at once to the consideration of one great *cause* for this stupendous fact, which I will do in responding to the false view of Mr. Scott, and many others, that

"Political ranting has well nigh destroyed the influence of the American pulpit," and says Mr. Scott, "I would not have the responsibility that rests upon such ministers as have left * * * preaching Christ crucified, * * * and have excited their hearers * * * to a disregard for the laws of the land * * * and to the use of Sharpe's rifles (and George Law muskets) for all the gold or fame of the world. * * * As an humble minister * * * I would acquit myself in the eyes of the * * * world * * * by bearing my testimony against all lynch law. * * * I protest also against your making the pulpit their advocate. As ministers we have a more sublime theme—to show unto the people the way of salvation."

This I regard as the biggest thing of all the letter. I throw aside entirely any consideration of historical allusions as unimportant, and believing that the numerous able volunteer writers, in our daily prints, for the past few months, have, beyond all controversion, established by theory what the Vigilance Committee first did by fact, viz.,—that the people *CAN* rightfully, if not constitutionally, revolutionize, even a Republic by force, I

throw that over the wall too, and desire to gain your undivided attention to the consideration of these most unchrist-like and pernicious views of ministerial duty, whose prevalence, far more than "political ranting in the pulpit," has made the American pulpit powerless comparatively, and which makes such mighty contrasts in the attendance upon the preachings and good effect upon the hearers of progressive and conservative men! Progressive men are called "erratic," "eccentric," and "fanatical," because they come up like business men to the mark, and talk to their hearers the stout words of strong common sense, not fearing for their salaries when they call a rich man, and that too by name, a thief when he steals. Who wonders that "conservative" houses of worship are so generally deserted, and their galleries go a begging for occupants, and the treasury for dollars, when we remember that the preacher is one of those sleek, meek-mouthed, finikin, starched, butter-and-honey looking men, with the only white things about him his skin, eyeballs, teeth, and cravat; whose sermons are metaphysical and religiously technical, and although they display a cultivated mind and an elevated sentiment, with great skill and ability in the management of the prescribed phrases and stereotyped forms, still are, after all, as to morality, only bread with milk and water, carved, graced, and buttered into beautiful and smoothly slipping sentences, and wholly impotent to turn the scamp from his evil purpose, and strengthen the simply honest non-professing Christian in his own religion. Their hearers can comfortably walk right out of church to an avaricious grinding down of the poor and oppressing the defenceless, to the limit of the "divine ordinances," the laws,—to devouring widows' and clients' houses and money, and for a pretence, making long prayers, and sharing the spoils with the church,—to questionable practices in trade and politics,—and to a studious, artistic skill in business-selfishness! Why, many of the very scamps who do attend those churches, often do it as a cloak for sneaking ungodliness!

It is a pity and a *great* pity, that ministers, who, as a class are far more prone to nobility and generosity than most other men, should be so utterly dependent upon the wills of the rich men in their churches as to feel that the food of their little ones is hanging upon their *suiting* these great ones. O, God! can there be

nothing done to relieve a class of men, who, of all others ought to be bold as thine adversary, at least, and I can't see why not bolder! Is it beyond the reach of possibility? Rouse up the people to reflection, and let the practical tyranny of wealth, as well as hierarchies and stated conventions, forever cease!

I lay down a few propositions, which I pray God to impress upon your hearts, and

1st. God never did a thing "for show" in all his dealings with man. He has done many things *to* show and teach man about Himself and His relations to the universe; but he who would have the hardihood to make God out a big boy, seated on the throne of the universe, trying to elicit the applause of pigmy grasshoppers, snails, worms, roaches, ants, and fleas, has a different imagination and conception of Deity than have I, or than I desire to have!

The great idea or attribute of God would seem to be universal love, blended with a wisdom that gave rise to law to secure the impulses of His holy heart. Nothing that he has made, done, or instituted betokens anything opposed to this. Everything is seemingly shaped with reference to this theory. The creation of animals, with man as the *highest* in the scale evinces it. The creation of immortal intelligences, with man *lowest* in the scale, betokens it. The ancient Jewish civil law breathes it forth, and the life and teachings of Christ confirm it. What is true of entire systems is no less true of the parts and details of each. It would be easy to shew the wisdom of the Jewish ministry regarded in the light of this theory, and far easier to make the Christian ministry assume its relation to God's one great attribute, LOVE.

2d. The ministry, as one of the institutes of Heaven, was for an end, and not for show. It is not, of itself, a something to be worshipped. *Its* business is to help God in loving men, and to help men to love God and each other.

The ministry, to use a figure, is not a bachelor, but is married. Its wife's maiden name was "The Family." By a "peculiar law of marriage, when a number of families are united to one minister, the husband as well as the wives change their name and are called "A Church." These wives all live separately, and everywhere in Christendom, except in Utah, so does the minister, just as much so as though he *were* an "old bach."

The wives or families have the liberty, of course, of associating together for any right purpose they choose, and to prevent squabbles among themselves and the children, they get together, agree to certain rules or laws, and appoint some one or more persons to look after them and take care no one does any harm to the others.

This is civil government.

It is a "divine institution" only from the fact that it is necessary to secure the divine wishes, viz.: love in life and consequent justice among men.

3d. It is the business of the ministry to watch over every institution and influence that tends to incite men to, or prevent men from loving God and each other; that is, which tends to make them friends or enemies, just or unjust, upright or slinking, ignoble or noble, mean or generous, prayerful or prayerless.

4th. Not only is this the work of the ministry, but it is *pulpit* work, and no one will deny it. Ministers are at liberty to use what means seem best, and in Paul's day he regarded the life, miracles, privations, sufferings, death, resurrection, and ascension of Jesus Christ as most potent to secure this end, not forgetting at the same time to prove many things by his "carnal reason" from admitted opinions then prevalent.

I do not deny that these themes are effectual now, but I *do* deny that *only* these are, and also, that these are proper at all times. There are right seasons for planting, and he who sows out of season, runs great risks, although he may sometimes get a crop. It is just as necessary sometimes to water as it is to plant.

It only remains to affirm what no sane, sensible man will deny, that civil government, and particular men and measures under civil government, *do* have influences, such as we have seen it the function of the ministry to watch over in the pulpit, to make the conclusion irresistible, *that the pulpit has no more right to be dumb on politics and candidates for office than it has to be forever harping on this or any other one theme*; and if I were a minister, no booming from great guns or flashings from "great lights,"—no howling and vituperation from a partizan press,—no deprivation of food and raiment, should frighten me from my convictions of duty in this respect.

"Ah, yes," I hear some one say, "I agree with you *thus far*. Your *principle* is sound, but your *application* is objectionable. It is all well enough to influence people by moral means in government as in other things, but to tell them in the pulpit they ought to do this or that—to support this and overthrow that *particular measure*, is all wrong. It is mixing up religion and politics."

No such thing as "mixing up." It is *using* religion in politics. Religion is loving. It is being something more, higher and nobler than simply just; and that man is a hypocrite, or self-deceived who pretends to be generous or loving from principle on one point, whilst he is not on others. A man *can't* really love purity, justice, and nobility in his pew, however much he may admire them, and yet hate them in his counting-house, office, or workshop. Real religion is consistent. It don't cause us to love a rich man, and show him the best seat in the church, and point out a tobacco-juiced stool in the vestibule to the poor fellow who can't afford to rent a seat at a smashing rate. It is consistent. It is just. It pushes itself wherever right and wrong can enter.

"Yes, I know all that; but then when it comes to particulars and application it is a different thing."

No, sir. That minister who preaches thou shalt not steal in general, and yet knows there is a deacon who habitually steals money from the collection plate, is *bound* to go talk to that man, not about stealing in general, but about those particular sums and coins he takes. If a minister preaches, thou shalt not commit adultery, and yet knows that twenty of his congregation are criminal in that respect, who will say that the minister is not bound to make all right, in the wisest and speediest way possible, and who cannot see that at times preaching will be the wisest way. Jesus Christ has directly and specifically prescribed it. "Go privately and try to cure—next take a witness or two—and, finally, tell it to the church." These are Christ's directions; but still, if Daniel Webster, or John C. Calhoun, or Stephen A. Douglas say not, you must, of course, obey last orders first, as in the Navy; at all events, if you are in Federal employment!

The principle is general. What is true of one point, *involving right and wrong*, (*i. e.*, love, or the lack of it,) is true of all.

CHURCH AND STATE SHOULD BE DISTINCT, but religion and politics, and religion or anything else, never! There is no act in life, that does not, or may not partake of a moral character, that is, that does not spring from a motive of some kind or another. If that motive is high and generous it is religious, the present-day ministry to the contrary notwithstanding, but if it is mean, selfish, and unworthy of a being, made in the moral image of the author of nature, it is irreligious;—and shame on that dastardly preacher; who shuns to *drive* this Catholic religion, into every nook and cranny of life! Shame on the contemptible soul that dare, shrivelled up within itself, squeak out “Church and State” the moment the scorching rays of truth begin to burn it in its selfishness.

There is always great room to suspect such croakers.

Religion and long-facedness have been so long blended,—sanc-timonious manners with pulpit-ministrations,—stale, crisped, ridiculous phrases and formulas, with the Bible,—that men actually, have grown to think it the fault of the book, and not of the ministry. They learn to reverence the Bible and those things in which they are educated, and when any erratic fellow, dares travel out of the record, they shrink and squirm as though bodily afflicted; but if added to this, their pockets or gross passions or educational prejudices are fired away at, they become rampant, and talk of “ranting” in the pulpit, &c.

Who can define the word “ranting?” Let some one try at leisure!

Fellow-citizens! The pulpit, although not the only place for reform, is certainly not to be excluded from *among* those places. It is sheer nonsense, to talk of showing the “people the way of salvation,” whilst they are being ruined and damned by the monster crimes of government all around them, which no moral suasion and virtuous money-spending, or peaceful unarmed action can cure.

Why does not Mr. Scott have a portable pulpit built, and when the City Hall bell strikes for fire, have it toted around to the burning house, and when he sees from the street, a burning mother, at an upper window, with her helpless babe bound to her bosom, why does he not pull out a sermon and point out *to her* the way of spiritual salvation, instead of pointing her out to the hook and ladder boys!

I tell you sir, to a burning mother, there is more of the spirit of the gospel of Christ in one hook and ladder, and one stout manly arm, than in a thousand volumes of President Edward's and Robert Hall's sermons, with a dray-load of bibles and long faces put together! and to a cursed city—ridden to the earth by systematized villainy and organized villians, who so managed the *constitutional means of rectifying wrongs*, that their power and villainy bid fair to be perpetual, three thousand George Law muskets, not one of which was required to "crack," did more to reform not only government, but public sentiment, than 500,000 Philadelphia Presbyterians, filled with Mr. Scott's letters inside and out, on the same principle, that Sharpe's rifles in Kansas. will be more effective for settler's rights, guarantied them on paper, by the Kansas Nebraska bill, but not secured to them by federal force or protection, than bushels of President's and Governor's proclamations, and barrels of "Scott's moral oil" for the "calming of troubled waters." There is a mighty moral influence in George Law muskets and Sharpe's repeating rifles, in the hands of virtuous men!

The Vigilance Committee was right, not only in action, but religiously in theory. It also is a "divine institution," because begotten by the necessities of the natures that God has given man, and moreover it is to the present time, one of "the powers that be" and those who stand so firmly on the Constitution, the Union, and the *Bible*, had better be careful how they stir up excitement against this "Divine institution," for unlike some other theoretical institutions, "it is not dead but sleepeth."

DEFENCE OF MR. SCOTT.

Thus far, I have spoken only of Mr. Scott's blunders. If I stopped here, my business would be but partly done, and I feel, as I retired to rest, that I had sought not to do justice, though the heavens fall, but to pander to a corrupt, pernicious, and unchristain taste for moral blood. By what I have yet to say, I may spoil myself in your good opinions more than a little. That, however, matters nothing—"FIAT JUSTITIA RUAT COELUM."

I deem Mr. Scott an injured man. He is a great man. He is a noble man. He is the man who advised with, and counseled General Jackson, and who was revered by "Old Hickory" as his superior, in almost all things. What has Mr. Scott done to

incur the enmity and personal hatred of any man in San Francisco? Why did not the Vigilance Committee arrest, try, convict, sentence, and execute him for murder? When was he arrested for fraud, or whom has he defrauded? What poor baker, milkman, or shoemaker, has he cheated out of his just dues? Who has ever detected him in a wilful lie? When, and by whom was he taken home by friends, too drunk to walk? In what saloon does he play? Is it Whipple's, or Thompson's, or whose is it? Who has ever in conversation found him to be obscene or use words of double and low meanings? Whose ears have listened to him profaning his Maker's name? At whose dance-house has he been found, or with what prostitute, save one whose last flickering rays of life have craved a ministerial prayer, and the once noble, but then low-fallen one has entreated to send, not for any one else, but 'for Dr. Scott?' And when, so sent for, has he Levite-like, passed by on the other side, whilst the ruined soul of a fallen-angel, has launched out into eternity uncared for—unprayed for?

Who is it more prominent, not only in the work of school, but individual education than Mr. Scott? Who is it, that remembers in prayer, in his weekly ministrations, the poor and villainous wretches, whom the people soon will remove from office, whilst all others have lent their tongues, only in their defamation? Who will dare to say, that those oft-sneered-at prayers of Mr. Scott, for our national and local officers, have not reached unto Heaven, and that God, after sending *him* out of town, resolved in his absence to show him the answer to his prayers? Who that don't look on prayer as a humbug, will dare to say, that Mr. Scott was *not* praying unknown to himself, for the establishment of the Vigilance Committee; for a government which the all-wise God, thought best to make transient in its nature, and almost omnipotent in its powers? Who will say but that to Mr. Scott, more than to any other one member of his church, was the existence, power, and wisdom, of the wonder of the Nineteenth Century owing? *I* will not, for *I* believe in prayer!

Who is it, that, unpaid is ever ready, when called upon to lecture for the benefit of charitable institutes, and to instruct and advise young men and women from his own vast storehouse of

learning and travel? From what charity has he withheld his gold? Who is it that amid pressing and ponderous duties, suffers himself so often to be called out miles and hours from loved pursuits and toils, to pronounce sad words, and implore divine blessings at the side of an open grave or a yawning tomb? Who that has heard him preach more than once, can sincerely say, that *he* or *she* has not felt under his preaching, that *there* was a mighty man, pushing mightily for virtue? Who is there in San Francisco, that can begin to hold a candle to Mr. Scott, in point of learning and profundity? Whose sermons is it, that make you feel as you leave his church, as you would if emerging from those libraries and depositories of learning, whose very catalogues need to be catalogued themselves.

Cannot a man differ in opinion with his fellow men, and even speak it, no matter in how peculiar and round-about a way, and still command the respect of his fellow men? Must personal and partizan feelings so enslave us that we will cut off *our* noses to spite *his* face.

But these are questions. I have hunted for evidence, of Mr. Scott's practical Christain character, and I did not have to go far. Right next door to me, I find a family which goes to his church, and they *love* him. That fact alone speaks more than volumes. They *love* him! They would *die* for him. In distress and trouble, he comes with almost an angelic hand, and soothes the troubled mind, pours out his big manly old soul, and drops from his old studious eyes, the tears of sympathy, not because Jesus told him to weep with those who weep, but because his big heart, having caught the spirit of Christ, drinks in others' woes, and swells heavingly; and he can't *help* crying, big and great as he is. I could tell you tales of his personal kindness and sympathy, that would make your very ears tingle, the blood prick your scalp, and the warm flushes of emotion, course wave-like throughout your frames, but it would not do. It would involve personal privacies, that ought never to be dragged before the public gaze. Suffice it to say, that I *LOVE* the man, and always will. I rejoice that he wrote the letter he did, if for no other reason, than to allow some one to go into the examination of his personal character, and find the deep, the warm, the strong, the womanly, the profound, personal, Christian character he bears, and expose it to the world! Why should a man die before his virtues are known, and his face be frozen stiff, before the loving and appreciative tears of living men and women of heart should roll out? It *should* not be! It *ought* not to be! It *SHALL* not be!

My hearers, if you will but take the trouble to examine, as I have, and that, too, not very extensively, you will feel as I feel,

and when sorrow and anguish shall come upon you,—when pecuniary disaster shall overtake you,—or malicious assaults on your character be made falsely for your convictions and for truth's sake,—you will go to him as I will, not to beg, but for sympathy, and you'll find it! You'll find as big a heart as there is enlarged a mind!

Twenty years hence, Mr. Scott, and most other San Franciscans, will *think* alike on the Vigilance Committee, and, let me in conclusion ask, whether you do not yourselves think it nobler to differ yet love, than *hate* because you differ? Cut out the *core* of proscription and eat the apple!

And now one word more to my friend, Mr. J. Ross Browne, and his owners. For this lecture you have proscribed me. You have threatened me with suspension from office, *supposing* I would favor the Vigilance Committee. I do favor it, and when turned out I think I'll join it. You will have triumphed, two months hence, and you and your party will have politically slain a young and poor man. I ask you to reflect upon the glory of your achievement, and ask yourselves, before God, whether you feel comfortable, as high-minded and noble men. And to those poor, miserable drivellers, the Gwins, the Wellers, and the minor lights, who tormented Mr. Browne into such action, permit me to say, soothingly, I pity you. I feel no anger towards you, but hope and pray that your souls may grow to fill at least a nutshell, and your minds, your souls.

I have done.

APPENDIX.

A.

(SEE FOOT NOTES ON PAGE 16.)

This charge of falsehood against the Rev. I. H. Brayton I hereby retract, because *about one hour* before Mr. Brayton penned that article, defining his position with reference to the lecture, I *had* consented to allow my relation to the *Evening Post* and *Pacific* to cease, although at the time I inserted my advertisement in the papers, announcing my intention to review Mr. Scott, I *was* an editor in both of those papers. Mr. Brayton's communication was designed to *correct* an impression which was true, and hence ought not to have been corrected, but which at the moment he regretted and was ashamed of. His statement of truth tended to mislead, but still what he said *was* true, and hence was not strictly speaking a falsehood.

Yet the real issue, if it were of sufficient importance to enquire into, would be, "Was Mr. Carroll, *at the time when the Rev. Mr. Scott's letter was dated*, an editor of the *Pacific*?"

I affirm that I was, and whilst the charge of falsehood cannot be technically maintained, I am sure that no moral and unprejudiced man will feel that I intended to do

Mr. Brayton the slightest injustice, that I spoke hastily, or that I did wrong to attack even a clergyman, whom I verily believed could be reached in no other way.

The moment the advertisement in question appeared in print, (it was hastily written under feeling,) I saw its disrespectful nature and resolved to change it as I did, and, moreover, I apologized to the Rev. Mr. Scott for the offence. W. CARROLL.

B.

As this pamphlet will be sent elsewhere than to different parts of this city, some explanation may be desirable :

The Rev. Wm. A. Scott is the pastor of Calvary Presbyterian [O. S.] Church. He is a learned man, and a traveler. He preaches to the largest and most fashionable audience in San Francisco, and in the most elegant and spacious building of the kind in the city. He is greatly admired and loved of his numerous friends, and is as bitterly hated and maligned by his enemies and the common people. He does his own thinking; is bold as Napoleon; just as Brutus; decided and prompt as Peter; firm and determined as Andrew Jackson; generous as "Old Zack," and, withal, as sensitive as a woman, and duly aristocratic.

He has a wonderful power of packing thought into a small compass, and every extended utterance betokens profundity and depth, as well as extensive reading and research, not only in the realms of fact and nature, but of idealism and poetry, as well as in the less inviting, but more fruitful and useful fields, of mental and governmental philosophy.

His very name, in San Francisco, is a type for greatness, learning, solidity, vigor and virtue.

The Rev. I. H. Brayton is the principal editor of the *Pacific*, a weekly, religious newspaper, and, till recently, also of the *Daily Evening Post*. He is a gentlemanly, mild, sensitive, backward, affectionate, womanly little creature, of large idealism, and a metaphysical build of mind. Thinks a great deal (but perhaps not too much) of the opinions of others; is just, cautious, sincere and liberal, inclining even to generosity.

He has lived, hitherto, battling against the coldness of a christian world, from whom warmth was both expected and due. Contact and intercourse with business men has worn off a good deal of the natural beauty, of a poetical trust in God and truth, and policy, or "prudence," has become a large ingredient in his character; so that he is not merely a womanly creature by nature, but a practical man from hard experience. In favorable circumstances he would be the idol of a church as a pastor, and would doubtless do good.

Intellectually, by the side of the Rev. Mr. Scott, he is looked upon as a youth, but in this discussion he is on the popular side. Mr. Scott, however, is sustained by a liberal congregation, despite of the fact that they are opposed to his views on the great political question of the State.

W. Carroll is an assumed name of the Assayer of the United States Mint in San Francisco, who, to oblige the Rev. I. H. Brayton (and at the same time improve himself by the mental exercise) consented to become an editor of the *Pacific*, and afterwards, in the *Daily Evening Post*, bestowing gratuitously most of his leisure time upon his editorial positions; his authoritative province being the school and juvenile department of the papers. Whilst young (twenty-five years of age), ardent, impetuous and theoretical, he is sincere and bold. He counts little on precedent, and feels ambitious to prove by action, that true theories *may* be, and therefore *ought* to be reduced to fact and practice in every department of life, in government, law, politics, religion, society and education.

Having been ungratefully treated by the Rev. I. H. Brayton, he withdrew from his amateur relations to the *Pacific* and *Evening Post*, and expects in a short time to start a new evening paper, called "THE PEOPLE'S PAPER."

C.

This lecture was about three hours in delivery. Human nature could not endure it. Conscious of the fact, Mr. Carroll, at intervals, urged his audience to retire, but to the last minute an audience of about 500 remained.

3 4
ORATION AND POEM,

DELIVERED AT THE

COMMENCEMENT

OF THE

COLLEGE OF CALIFORNIA,

Wednesday, June 7th, 1865.

ERRATA.

PAGE 26, line 25, for "are much larger," read "is much larger." Same line, for "are likely," read "is likely."

" 28, line 16, for "amendmends," read "amendments."

" 30, line 1, for "the dryest year," read "that dryest year."

SAN FRANCISCO:

PRINTED BY TOWNE AND BACON.

1865.



ORATION.

BY PROF. HENRY DURANT, COLLEGE OF CALIFORNIA.

Mr. President, Ladies, and Gentlemen :

WERE it "THE UNIVERSITY," as *contra-distinguished* from the more *common* methods of our Popular Education, that I were about to discourse of, I should hardly introduce the fact directly, and to begin with (invidious as this would be) but only through some sort of *insinuation* by which I might seem to have won your sympathy, or your prejudice, in its behalf. But as it is of "The University," in *connection* with the popular methods, and not in *contrariety* to them—as working with them and for them—fostering them in its loving care—drawing them into its own life—and growing them, with itself, into the same structure, that I venture to speak, may I not hope to have given no offense to the partisans of either a Common or a Liberal Education, possibly to have conciliated both in the interest of a common cause, in having thus announced my theme.

It has seemed strange to some persons, that "the tree"—(if it were a tree) "whose mortal taste brought death into the world, and all our woe," should have been "the tree of the knowledge of good and evil;" and that man should not have found, in the fruit of that very tree, a proper preventative to his fall, and all the ills which have followed in its train. But if we no longer make the eating in question, and the knowledge, interchangeable terms; if by the *eating* of good and evil, we understand a practical experiment at living, in the contradiction of the two, and by the *knowledge*, that observation of nature and that light of the Reason and of the Con-

science which, preliminary to choice, and anticipating its consequences, should have forestalled any such experiment—then we have a distinction, which shows us the nature and the origin of evil, the sphere of good, and vindicates knowledge as a faithful monitor and a righteous judge—the fiery cherubim set in the milder form of fruit and flower, in the midst of the garden, to keep the thoughtful soul in “the way of the tree of life.”

But knowledge, to serve such a purpose, must be knowledge in the proper sense of the term; knowledge in the sense of science; knowledge not of things merely, but of principles; not of elements alone, but of organisms; not of parts only, but of wholes. There are three states or moods of matter, as likewise of humanity, and of universal mind, in the distinctions of which we have the characteristics, also, of three methods of education (the only methods possible), and in the history of which moods, as developed by these methods, all knowledge and all good and evil. The *first* of the moods is that of merely occupying space, or simple existence, without distinction of form or sort, everywhere the same, homogeneous. The *second* is that of elements—individuals, and is a progress upon the first by the intervention of the law of species, or specialization. The *third* is that of organisms, under a law of proportion or harmony, constructing the simple forms of the second into unities and wholes. This last mood is the proper ultimatum of all existence; the perfection of all ends; the ideal and the realization of good and of right; the soul and the embodiment of science. It is the fulfillment, as we see, of the two laws of which we have spoken, which are the two laws of all development and progress—the right hand, if I may so say, and the left hand of the Creator and of His Providence, and of all subordinate, responsible power working everywhere through the realm of created existence, in the first mood of it, producing thence, on the one side, individuality and multitude; on the other, society—organization; in the one of which we have the Higher Law, in the other the Lower; in the subordination of the lower of which to the higher—all good; in that of the higher to the lower—all evil; in the conflict and alternation of the two—the whole history of this world—the eating of good and evil.

Of the three methods of education answering to these distinctions, one limits itself to the sphere of the Lower Law, and is

special ; another allows neither of the laws, and seeks to suppress all development and progress ; the other unites the two in itself, and affords the idea of the true University.

Now, it is obvious that any education which denies all liberty to its subjects, allowing them neither to run into diversity, nor to grow into union, but attempts to coerce them into sameness or uniformity, must be wrong, inasmuch as it is contrary to destiny, which implies progress ; contrary to nature, which is a something yet to become, and not already finished—contrary to creation itself, crushing back its beautiful order into chaos. It is equally obvious that any education which has for its sphere, that merely of the Lower Law, or which revolves about the lower as its center, at whatever distance, is wrong, and just in proportion wrong, as it disallows the domination of the higher ; and that the true method is one which unites and fulfills in itself the two laws—is at once elementary and constructive, the one for the other, in the interest alike of the parts and of the whole.

This idea of education will startle no one, we trust, as seeming new. For it is new only to those who are ignorant of what is the very first and most familiar of all the ideas that have ever been in the world. It is new only in the sense in which love was new as a proclamation of gospel, only because it had been blindly overlooked from the beginning, or grown obsolete through long disuse. It is that very light in whose shining man woke to his first consciousness of himself as man—as an individual, that is to say, responsible to the law of his whole kind ; that light which already confronted his very first outlook upon life, and anticipated even the first step of what was yet to be his eventful, adventurous career : “Be fruitful and multiply and replenish the earth and subdue it”—divide and conquer, by virtue of the lower law ; by that of the higher, *reconstruct, unite, and “have dominion.”*

Give to every clime and zone its own especial type of man—to every place, its especial individual, till the whole earth is filled with its peoples, and every son and daughter of Adam has wrought the special task assigned to each, in subduing it, so it be subdued for *all* as a *common* good ; and ruled for *all* by the higher law of a common right and a common duty. A work for every one and every one for a work, so, the division of labor merge private con-

venience into public economy, and make private advantage promotive of the common weal. A place for everything and everything in its place; a use for every talent and every talent to its use; a sphere for every social order; a polity for every State; the greater the number, and the greater the liberty of each—the better the union of all; provided the union be impartial, and provided it be maintained. Analyze and differentiate to any extent; disintegrate the masses; break down the sects to their lowest denominations—even to insects—so you construct from these lower forms which you have destroyed, the higher unities. If there be a harmony of colors more beautiful than the unity of light in which the colors are all lost, it is well that light should resolve itself into its elements, so, it paint in that higher beauty the world which it reveals. It is well that water should give up its oxygen to the fire, and its hydrogen to burn with it, that in the heat of its own elements thus reunited it may spring again into steam, to drive the ships of commerce over its own wide wastes, so it near the nations which it has been wont to separate, and annihilate itself as a barrier between them, and “there be no more sea.” Sharpen the points of character in everything and every person, no matter how acutely; project them, no matter how extremely; differentiate them, no matter how widely, so you hold them in their due relations to one another, and unite them in beautiful, loyal consistency of system, to serve the uses, not of your single self indeed, nor of a single people, nor of a single color or type of men, but all the proper uses together of the whole human race. So win, so wear your crown. This be your culture; this your Alma Mater; this your degree. Educated thus in processes of thought and of practice so special and yet so comprehensive, so particular and yet so liberal—true alumnus of such a university—graduate, at once, a subject and a king.

This is the idea—the normal idea—of a truly liberal education, set forth in the basis and curriculum of God’s own university.

As opposed to this, the other two methods must be noticed again, and with more particularity. First, the special method, and I know not how I may better introduce it in this connection, or illustrate it at all, than by recalling the very brief history of its origin. Its best exponent, I would observe, is to be found in the cognomen of its author—Diabolos—derived, no doubt, from the peculiarities of

his own profession; the *divider*, *dissipater*, *analyser*. It followed into the world immediately upon the first method; indeed, as an experiment—an accomplished fact—it anticipated the first and superceded it. It took the form of a private enterprise, on the very plausible line of observation and experiment; the Baconian method anticipated—all but the method; the facts and phenomina the same, without the laws—a polytechnic school—rolling stock, without a railway—a curriculum without a *basis*. It began with *object-teaching*, in the favorite way of analysis and specialization—the grand significance of the object, its own integrity, and its relations to other objects, as parts of a greater whole—left out. It was to have nothing to do with *wholes*. “Take care of the parts; wholes may take care of themselves:” “Masticate well; digestion follows of course:” “Or whether it follow or not, the whole interest in eating ends with the pleasure of the palate:” “All beyond is *terra incognita*:” “Life and assimilation are neither here nor there:” “These do not come within the range of observation:” “We have to do with *phenomina*:” “Substance is a mystery or a myth:” “The tailor makes the man:” “Society is nothing better than a dress-parade, if it be anything better than a parade of dress:” “The kingdom of heaven cometh by observation:” “The life is *not* more than meat:” “Nor the body than raiment.” This we suppose to have been the introduction of his first lecture, delivered to his auditory, Adam and Eve. The lecturer proceeds: “Lady and Gentleman: Rare tree is this which we have here in the midst of the garden—this ‘tree of the knowledge of good and evil’—fine shade—fine fruit! Rare apple this which reaches itself down to us on this bending bough! Let us pluck it, and analyse it. Handle it, weigh it, measure it, look at it, smell it, taste it, eat it—and be wise. Mellow tints! What a fragrance! How delicious it must be to the taste! Paragon of fruits! Crowning luxury of Paradise! Who would be a drudge, a slave, to reclaim the earth, in the preposterous hope of emerging, at some time or other, from such a degradation, a king! when, if you only eat this apple, just now, forthwith ye become as gods, knowing good and evil.”

Never was special pleading more specious. Never was specific more plausibly palmed upon the world. This first of the quacks may have had his imitators in abundance, scarcely his equals,

either for the magnitude of the mischief compressed into the minuteness of his doses, or the amount of credulity with which his patients were made to swallow them.

It was a *special* point which the tempter pressed upon man. It was a special passion in man which was touched by the temptation. "Only *eat*, (a felicity in itself) and the keys of knowledge and of heaven, are your own." Self-aggrandizement by self-indulgence.

The bait is no sooner taken than the death-fall is sprung; the tie that binds man to his Maker, and to his kind, is severed; the law of separation becomes supreme; society is dissolved; the age of individuality, carried to its ultimatum, in absolute selfishness, ensues. Cain and Lamech, and the Giants become its representatives; lust and license prevail, and run riot; and ruffianism rides rough-shod over the world. Costly experiment at specialty! Cheap, had it been the last!

It will help us still the better to appreciate the method which we have assumed to be the true method of education, if we notice more particularly than we have done, that other false one which we have characterized as the method of uniformity. Despairing of any orderly reconstruction, by force of the higher laws, when once the elements are set loose under license of the lower, it goes back for relief to the first mood of all things, homogeneousness. Unlike conservatism, which it assumes to be, which, at the worst, only stereotypes humanity where it is; this method, so far from fixing the types, which it finds already set up, breaks down and fuses them into the mass from which they were originally molded, to secure them against collision on the one hand, or dissipation on the other. It would reproduce the old glacial period, and stiffen our fluent seas and oceans into solid ice, to save the fishes from running wild through the deep, or making havoc upon one another. It is the recoil of timidity and distrust from what seems to have happened so disasterously to the world through its attempts hitherto at progress. It seeks peace and stability in consolidation. This has had much to do with the social life and civilization of the race; it must have something to do with our estimate of the true University. It crops out into history, for the first, in the institution of Babel. That "the whole earth was of one language and of one speech," im-

plies much less a community of mere *words* or *letters* than of beliefs and sentiments; just as language and speech are matters much less of sound and sight than of significance. The people were one in their professions, their formularies of faith, and their terms of social intercourse; they had not yet fallen to wrangling about usages and doctrines; their faith in each other had been implicit. But a new era has come. Some signs of disaffection appear; some fears of it, at least, are felt. Prudence dictates the adoption of some means to forestall the recurrence of the late disastrous adventure of the race. What shall it be? Individuality had wrought the mischief before; individuality must therefore be repressed. Personal liberty must be denied. Society, which results from the interflow and interaction of individual wills, ideas, and affections, is impracticable. The conflict between "the law of the members," and "the law of the mind," is irreconcilable. The parties to it can never be pacificated; they must both be emptied of their respective powers, and then fused or compressed into one brute mass. The idea of Babel, doubtless, was to destroy the individual and the kind, alike, in an absolute consolidation. What could not be held in one, by mutual attractions, like the molecules of a crystal, must be piled like bricks, and cemented together by slime. The living body of society must be reduced to a petrification, or rather its vitalities, its liberties, its wishes, and its wills, like the fossils of the old geology, must be caught and entombed in a formation of rocks. "Go to! let us make bricks and burn them thoroughly; and they had bricks for stone, and slime had they for mortar; and they said, Go to, let us build us a city, and a tower, whose top may reach unto heaven; and let us make us a name, (*shem—ism—charm—talisman*) lest we be scattered abroad upon the face of all the earth."

"They formed the design," suggests Morison, author of "The Religious History of Man," "of rearing a building, or temple, whereon the *insignia*, or sensible images, of a common faith and a common practice, should be portrayed, and a *standard* erected, that *non-conformity* might be prevented, schisms avoided, and diversities of sentiment and culture averted from the world." The execution of such a scheme would, of itself, unite them in a work of many years; and then standing before them visibly, as the reali-

zation and triumph of their common hopes and labors, how would this temple, with its "*insignia*" emblazoned upon its walls for belles-lettres alike, and ritual, liturgy, and cook-book, Lord Chesterfield, and Statesman's Manual, serve as a charm—a talisman—to draw them together, and to trance them, it might be, into uniformity! With their eyes all fixed on the same objects, like any modern circle of mutual mesmerizers, spelling out the same characters, and their lips all rehearsing the same sounds, their minds also following after each other in the same rounds; and their hearts all flowing together into the same mold, would they not soon become as uniform and fixed in idea and character, as in ceremony and discipline? No circle of mesmerized mortals would be more likely to fall into common *rapport*, and to lose their personal faculties in a common passivity and stupefaction, than these formalists of Babel. We recall, as an illustration of the talismanic force that might be expected to result from this contrivance, the rallying center of the Mahomedan world, the City of Mecca, to which, from every quarter of the earth, the Moslem pilgrim repairs to drink of its holy zem-zem, or well; to stand in its sacred mountain—Arafat; to enter its consecrated Kaaba, and there to kiss the black stone—Kebila—which was dropped from heaven, and towards which, as towards heaven itself, the eyes and the hearts of the faithful are turned forevermore in their devotions.

Such was the idea of Babel. It must be arrested. It is no less hostile to the genius and the mission of man, than the scheme before the flood. "And the Lord came down to see the city and the tower which the children of man builded. And the Lord said, behold, the people is one, and this they begin to do; and now, nothing will be restrained from them, which they have imagined to do; go to;—let us go down and there confound their language, that they may not *hearken to* each other's speech. So the Lord scattered them abroad from thence, upon the face of all the earth." Not, however, that they began to talk in unknown tongues, or in different dialects—a difficulty easily to be overruled—their *written signs*, or hieroglyphics remaining the same to all, as now is the case with the many dialects of China, but began to *hold a different language*, or to express a disagreement between themselves, as to the objects and merits of the enterprise in hand. Their individualities began to appear.

They were not to be forced or cajoled by a few usurpers, into an unnatural uniformity. From this point dates a new era—the era of that conflict, which events are now fast bringing to a close—the conflict between the spirit of independency in man, roused and fired by the providence of God, yet guarded by the same Providence; and the idea of uniformity, as laid down in the foundations of the tower and the City of Babylon. Into this great structure—Babel and Babylon—(no mean Bastile of Paris, or Tower of London)—this world-prison, were the whole human race to be cast, as beasts into a den, by that “mighty hunter before the Lord,” or to follow the Hebrew closely, “that mighty religious marauder, Nimrod.” This was the beginning of the Papacy. In Babel and Babylon we have the germ of “world-empire,” and of the Church of Rome. So long does this establishment antedate its name. Nimrod, the father (*papa*) of this scheme of uniformity, and the first persecutor to sustain it, was the first Pope. Shall it prevail? Not without resistance. The spirit that is stirred up against it, and in behalf of the individual, and of the human race alike, shall be allayed only in reaching its own ends. Its destiny is that of man himself—“to be fruitful, and multiply, and replenish the earth, and subdue it and have dominion.” Sliding down from Nimrod and his times, through many centuries, along the line of prescription and conformity—a *facilis descensus*—we reach that fatal break, which no ages shall ever repair—the defection of the Greeks from the Romish Church, and the fall and partition of the Roman Empire. In these great events, which inaugurate our own era, the many causes which had long been threatening dismemberment, culminated, not to find a level where to rest, but a head, from which to flow the more freely and widely over the world; as if the bands, which had held the fountains of the great deep to their places, had been broken up, and the waters had come over the earth, to sap and loosen its solidarities of Church and State, and to set its peoples afloat, each in their own ark, to drift their several ways, upon new coasts of life, there to settle themselves apart, and there to grow the more freely out of centers of their own, according to their own understandings, and after the desires of their own hearts.

And what a spectacle of peoples, and of human developments it is, with which the world is presenting us to-day! Not a continent,

nor a peninsula, nor scarcely an island ; not a mountain range, nor out-spread valley ; not a desert waste, nor forest wild, without its own especial multitude of men—not less peculiar to itself in type of constitution, than in circumstance and place, nor more peculiar in either, or in all, than in language, sentiment, and character. Diversity and multitude would seem to have approximated their limits. What peculiarity of station for a man to fill, without its peculiarity of a man to fill it ! What peculiarity of a task for humanity to achieve, without its peculiarity of human talent to achieve it ! What place so eccentric, or outlandish, that “ the schoolmaster abroad ” does not find it ? What field of observation, on land or water, which the prospector does not traverse, with the merchant, or the settler in his tracks, to appropriate his discoveries ? Scarcely a rood of the ocean’s bed that has not been measured, and its substance analyzed, and booked. The very winds are identified, and traced to the places whence they come, and whither they go. The climates, the Fauna and Flora of each, this soil and that, adapted to this and to that sort of vegetation—all have been discovered and reported, and the whole earth is being comprehended and possessed. The poet’s wail over the waste of Nature’s profusion, scarcely excites sympathy any more—scarcely longer is it true, that

—“ many a gem of purest ray serene,
The dark, *unfathomed* caves of ocean bear ;
Full many a flower is born to blush unseen,
And waste its sweetness on the desert air.”

But what of it all ? “ Counting *one by one*, saith the preacher, to find out the account ”—what of it all ? That the human race have replenished the earth ?—that men have subdued it piece-meal ? that they possess it all, in *fee simple*, between themselves, as so many *individuals* ? This were a poor dominion over it, to have realized. It may be well that the Emperor of the French should have given to each of his Algerines a freehold in the soil of their own native land. *Fee simple* is a first step in progress from *solidarity*, but *fee simple* is the lowest of all titles. What signifies *fee simple* without the State to uphold and ennoble it ? Who so mean as be content with a homestead without a country ? or with a country for the sake of a homestead ? or for the sake of country itself ? There is a wider range of sentiment. There is a higher organism ; a unity answer-

ing to all the possibilities of man's social being—made immortal and illimitable, as it is, in the image of God. Is it that we may sit, each of us, under “our own vine and fig-tree, having none to molest us or make us afraid,” that we sacrifice vine and fig-tree, that our country may be saved? Is it that we may have a *country* to *live in*, that we *die* for our country's sake? and not rather, that there is a higher principle, that survives the grave—that lives after us—for our country to perpetuate—that lives on, in us, immortal as ourselves? What humanity now needs, is its reconstruction upon this enduring principle: The education of its peoples in that which shall make them one, and one forever—that which shall bring to pass, as a *universal* fact, the sentiment, so familiar to us all, as the motto written in the scroll of our national escutcheon, so prophetic of our destiny, and of our part, we trust, in the destiny of the Race—*E Pluribus Unum*.

And this, we assume, is to be the work of what I would call the University—that institution which every man, who is a man, and every woman, who is a woman, has at least *entered*—from which, I know not, who has graduated. Not a local institution, nor a material one, but the educational power of all legitimate and loyal institutions—not the *close* corporation of a few partisan educators, but the “*open communion*” of all denominations of genuine instruction and enlightenment in the world, with those light-giving, life-giving influences of Divine Grace which come directly from above—the pulpit, with its sanctities, and its inspirations; the press, with its liberty, restrained only by the truth; the common school, and the college; the nursery, and the play-ground; the whole apparatus and economy of life, with whatever of instrumentality or influence may incorporate itself into the same method, to work out the grand result.

Nor is there little in the spirit of the age to encourage our hope of such a coöperation. Never before were the agencies for good so numerous in the world, as now; never before were these agencies so active in their several spheres, as now; never before did they ensphere themselves in combinations of such a compass and of such a unity, as now; never before, as now, did the spirit of union flow through them all and overflow them, like a baptism, to consecrate them all—to initiate and enchurch them, if I may so say, in one

communion. What was once attempted occasionally and by here and there an individual, in the way of doing good, is now pursued as a business by large associations. The spirit of philanthropy that embodied itself in the person of a single Howard, nay, rather in that diviner form which stood so conspicuously alone before the world in the person of Christ, is now represented by multitudes not of individuals only. But of organized committees, of churches, national and international societies, and world-wide missions, that no human woe or want may escape its notice or fail of its relief. What, a generation ago, afforded only a playful experiment to a Franklin flying his kite, is putting minds and hearts, the world over, into communication with one another, and into each other's moods, and this by millions, at the same moment. Commerce which began in piracy between near neighbors, who had hated each other, has become, like the ocean itself which once separated nations, one of the great pacificators of the world. Steam-power, whose first historic observer, a century since, was the youthful Watt, watching its play on the lid of his aunt's tea-kettle and thought to be an idler at that, is known and read of all men, now, as the grand motor of commerce, travel, and the industrial arts; and as a socializer, though less observed, is not less efficient or less extensive in its influence. If it has increased mechanical production, a million-fold, and distribution in the same ratio, it has done much to retire servile toil from the field of competition, and to lift the menial classes into something like society. It has given to mind its proper liberty and leisure for study; to social life, its proper means of enjoyment and culture; has broken down partitions and annihilated distances which alienated men; and set the same men, face to face, and side by side, together, to contemplate each other, to study and understand each other, and to accept each other as neighbors and brethren.

Arkwright invented the spinning-jenny, and realized a private fortune from the sale of his patent to a few subordinate monopolists. Wheelwright, our own countryman, if it be lawful to identify such a man with any country, is laying down his railroad systems along the mountain slopes, and over the table-lands, and through the wide savannas of South America; building school-houses and churches alongside of his depôts of business, for the home instruction of the people—while, by the inter-oceanic steamship systems which he has organized, he is giving locomotion, as it were, to the continent itself,

and putting the people into correspondence, commercially and socially, with whatever is progressive or productive elsewhere in the world. If Arkwright was justly famous, in his time, for the contribution which he sold to the arts: Wheelwright deserves to be famous through *all* times—immortal honor to his name—for he is working not for himself, as his friends who know him well, well know—nor yet for the development of so small a field as South America alone; but (we speak in the style of his own modesty) “to contribute his mite,” in this auspicious day, to the education of the whole world.

While many of our own countrymen, like Wheelwright, are devoting themselves to the common interests of humanity: what shall we say of our beloved Country herself? For what is she beloved the most? The great and bloody sacrifice which she has made—shall we say, *for herself*, or for *universal* right and liberty as well? To maintain the Union of her States? or to maintain the *principles* on which that Union rests?—principles on which States everywhere may rest, and rest for ever. Had it been a Union on narrower grounds, like that of the German Independencies—a mere compact; had it been a Holy Alliance, to crush out the liberty of the masses, or to absorb the weaker Powers; or, like that provided in “The Pragmatic Sanction” of Charles of Austria, to secure the succession of a crown after an arbitrary line; or, like that of the *late* confederacy of our own Southern States, built on a foundation of cotton and State-rights, in the *pragmatic sanction* of treason, secession, and rebellion; to perpetuate its Crown of Slavery, after the arbitrary line of a spurious chivalry—would our loyal Unionists have fought for it? Would they have won, in it, what they have won—a Union worthy of our love? We love our Country for the *moral* of her example. We love her, that while she rises among the nations, as a *power*, she rises also as a *light*; that having honored God as his Magistrate, “not bearing the sword in vain, but as a terror to evil-doers, and a praise to them that do well,” she is honored of Him, in turn, as His own chosen type of the beautiful consistency possible between the independence of a free people and their loyalty to the State—between civil liberty and constitutional law. We love her, because He who has chastened her and taught her to see and recognize His hand, in her discomfitures and reverses, as well as in her triumphs, and to center all her hopes and wishes

on His blessing still—that He who brought the light out of darkness at first,—the natural light,—and thereupon, the harmonies of Nature, out of chaos—is bringing her forth, a moral light in these latter days ; and crystallizing around the principles which she illustrates, the social order of the world.

With such a prestige, and such a responsibility—how well may we feel not only what the poet has written for us, that

“ We are living
In a grand and solemn time ; ”

but that we owe the privilege and the sublimity of our position, and should look for grace, that we be true to it, to Him, whose is the kingdom, for which we have been taught to pray ever since we lisped the Prayer—

“ Thy kingdom come ; Thy will be done on earth as it is in Heaven.”

We give the thanks, O God, to Thee—
The glory of our Nation's birth ;
It was Thy power that made us free—
The power that guides the rolling earth.

As planets prove Thy wise control,
As if, in love, together bound ;
And the successive seasons roll
In harmony and beauty round ;

Empires, in all their changes, show
The law of Thine unerring will :
They rise and fall, decline and grow,
A perfect order to fulfill.

Yes, order here shall rise at last,
And wars and party strifes be done ;
A few more revolutions past,
And all mankind shall be as one.

And higher *this* than *Nature's* plan—
Perfection of our social good—
Enthronement of the rights of man—
A universal brotherhood.

We give the thanks, O God, to Thee—
The glory of our Nation's birth :
It was Thy power that made us free—
The power that yet shall free the earth.

P O E M .

—
BY WILLIAM L. CROWELL.
—

'Tis said that bards are born ! not as a flower
Does Nature make her poets, hour by hour
Unveiling beauties, till the floral gem
In full perfection, crowns the parent stem ;
As the young eagle ere its tender form
Has stemmed the gale or struggled with the storm,
Cast from the nest to make its first essay,
In lordly grandeur threads its pathless way,
Fearless, unfaltering to the upper air
With conscious pride that it is native there,
So the true poet, wrapt in genius' light,
Wings his ærial and unerring flight.

Since this is so, and not to us belong
The shining talents of the child of song,
Aids adventitious we are forced to bring
To smooth our pathway, reckless whence they spring.
Some by their draughts profuse of sparkling wine
Inspire a semblance to the fire divine :
We light our pipe ! our classic pipe we light !
The curling smoke shall tell us what to write.
Unlike that other, of immortal name,
We seek a cloudy " path to epic fame."

We were a band elected ! 'Tis but play
To vote stars suns and turn the night to day.
Ballots are void ; in them no virtue lies :
To choose men governors does not make men wise.

Day inauspicious, destiny ill-starred,
 When we your servants, were elected bard.
 Events shall prove a thousand times again,
 That votes are votes, and men are only men.

But let's invoke ! the bard of ancient story
 Without his muse was never in his glory.
 Smile on us now, all ye that aid the throes
 Of poets chosen, making verse from prose !
 O inspiration, thou that kindly bore
 Shakspeare to realms man ne'er attained before,
 Unbarred the safe where Genius kept his ware,
 Till he purloined the choicest treasures there !
 Shakspeare, the darling of the gifted train,
 Who dropped his gems ideal like the rain,
 Reversed the laws of nature with his pen,
 And left an immortality with men.

O Inspiration, whose almighty power
 Suggests one dull, unpolished line an hour,
 Smile ne'er so faintly or we're doomed to hear
 The bright girl's laughter or the critic's jeer :
 Smile once again ; or every hope misplaced,
 Homer is libeled and we're both disgraced !

Hard is the lot of him whose hope is fame :
 Who takes the quill becomes the public game ;
 Men watch for faults as falcons seek for prey,
 Intent on flaying if they find a way ;
 Critics are ever eager for a shot,
 And fling their darts at every vital spot ;
 Fair though his motive, faultless though his creed,
 They smile like fiends to see their victim bleed.
 What's left the writer ? to lay by his pen ?
 No ; criticise the critics ! they are men :
 Impale the vampires, who compose the world,
 And not relent till every shaft is hurled.

Look up the stream ; its borders bear
 The hulks of splendid manhood stranded there,

While on the currents, smoothly gliding sail
 Less graceful crafts before the prosperous gale.
 Birth, wealth, or fame paves one man's path to power ;
 Life's sweetest blessings brighten every hour,
 While yonder wretch with all his keen desires,
 Exists in sorrow, and unmourned expires.
 These thoughts if ill-digested would distrust
 The mind of Nature, and make God unjust ;
 But things terrestrial scrupulously scan,
 And trace our sorrows to the ways of man.

In other days when men, a lesser band,
 Reviewed creation from a nearer stand,
 Stout hearts and arms in times so unrefined,
 Claimed and received the homage of mankind.
 Position was the privilege of might
 That vanquished foemen in the single fight.
 The proud physique, the man of giant mould
 Was chosen chief, and all the tribe controlled.
 But time rolled on and change o'er swept the earth
 Till strength of sinew bent to pride of birth ;
 Nobles by lineage took the regal stand,
 Enrobed in purple, claimed the world's command.
 But when our father's sought across the wave
 A happy haven or a quiet grave,
 They deemed the noblest was the Christian's part,
 A guileless conscience and a generous heart.
 The pilgrims' was the sovereignty of soul ;
 Their King was Deity, and his control
 They recognized alone ; they deemed
 Man's mission proudest where religion beamed.

But we, their sons, another race of men,
 Have exhumed pride and avarice again.
 'Tis a sad truth, professing what we may
 Gold is the god the world adores to day.
 'Tis even so ; behold the merchant fly
 To put the morning journal to his eye—

"Our army prospers and our cause, it thrives,"
 "Oh, curse the cause until my ship arrives!
 I'd sooner see the Union sunk in—ah!
 She has reached port—she's safely passed the bar.
 Sooner the sunlight warm a world of slaves,
 Than that staunch vessel sink mid coral caves.
 Ah, well, rejoicing, most refreshing news:
 I'd wish no better if 'twere mine to choose—
 An Irish famine. Hunger here's thy health;
 The tears—thou causest float me on to wealth.
 And sure, grim war is not without its charms,
 My ship has freight of wooden legs and arms."
 And this is he who drives the noble steed,
 Keeps liveried servants, dogs of generous breed,
 Contributes freely for religion's sake,
 And looks devout in church-time, if—awake;
 Ay, this is he who draws the public gaze;
 Men look to envy or they speak to praise;
 Epitomize his life; he eats and drinks;
 Let none so senseless question if he thinks;
 He dons and doffs his dress each day; he dies,
 And the tall pillar pointing to the skies,
 Must lie itself to tell men where he lies.

The man of wealth is not passed rudely by
 With men of pride, of intellect; ask why?
 The problem's easy; what though he don't boast
 Vast erudition? he's a splendid host;
 What though he think that Newton was a chief
 In Russian wilds, George Washington a thief,
 Rubens a tailor, and Saint Paul a sot,
 His champagne sparkles if his wit does not.
 What if the scholar's sense betimes rebels,
 The palate's voice each rising tumult quells;
 And when the guest would wend his homeward way,
 After the pleasures of their festive day,
 Then bid farewell and strike a ruinous line;
 Each has much flattery mingled with his wine;

With this wide difference not to be forgot,
 There's one that knows it, and there's one does not.
 From our proud land be riches far away ;
 The *ignis fatuus* glitters o'er decay.

Aside from that the Saviour has defined,
 Be ours the aristocracy of mind.
 Dark though the sequel, this sad rule is sure ;
 So weak is human nature, 'twill endure.
 Seek for the good man's record ; 'tis in vain
 Unless the fire of genius warmed his brain.
 Enrolled alone, there live on history's page
 The names that stamped their thoughts upon the age.

Now, boys, suppose we offer some advice ;
 'Tis only legal that requires a price ;
 Self-constituted guide and though a youth,
 Always accept where'r you find the truth.
 Let it be yours uniting well to bind
 The aristocracy of soul and mind.
 No prouder blessings can the world bestow
 Than those which from her classic fountains flow ;
 A public force to polish common sense,
 Refine the age and prove the State's defence.

“ College diplomas, what indeed are they ? ”
 The dull *alumnus* is inclined to say :
 “ Void, senseless scrolls, and though possessed by few,
 Fools do oft buy them ”—which is almost true.
 Polish the sand-stone, canst thou make it bright ?
 Wash the Ethiop, he will not be white ;
 So wise professors' never-tiring pains
 Make small impressions on a blockhead's brains.
 Deep is the meaning of that symbol yet
 And its possession must involve a debt.
 The sturdy farmer yokes his ox at dawn,
 The blacksmith's click salutes the early morn,
 And the bent laborer every check surmounts,
 That some fond son may drink at classic founts ;

From you those sons a tribute rich is due,
 To all mankind and they expect it too ;
 That parchment scroll must mark an honest place,
 Or like the " scarlet letter," stamp disgrace.

The Eastern student to his duties true,
 Has an incentive never known to you ;
 His *Alma Mater* of an ancient name,
 Has scores of sons already known to fame.
 There, many a man who walks in glory's train,
 Sojourned his fleeting season—not in vain ;
 And thoughts of these as he bends o'er the page,
 Soften his labors and his griefs assuage ;
 He sees them in his dreams like him perplexed ;
 He sees his name like theirs to fame annexed ;
 He's proud to labor in the halls where these
 Paved well their paths to honor and to ease.
 'Tis yours to be as rolling years shall pass,
 Perhaps the heroes to some future class ;
 Proud and important then is your estate,
 Theirs to despise or theirs to emulate.

Since this is so and the great boon was yours,
 To breathe the air that sweeps these Attic bowers,
 Where talent ever lent its kindly aid
 To every flight your youthful flight essayed.
 To Oakland's spring may you ne'er recreant prove,
 But shower honors on the halls you love.

But, students, now let us descend a while
 And talk of things in our familiar style.
 There's no great need the truth were thus suppressed,
 There's many a gem was cradled in a jest.
 Four years have rolled since you were doomed to bear
 The stings and arrows of your cloister's care.
 From college course—a dreamy isthmus thrown
 Twixt boy and manhood—is forever flown.

The parchment's waiting: that recalls a sigh ;
 We got another kind in days gone by ;

Twisted and long, tears followed when it fell ;
Each schoolboy idler knew it passing well ;
This bears some marks to classic minds addressed,
That left the marks, as we could well attest ;
'Tis sheepskin now that challenges the gaze ;
We got the cow-skin in our early days.

Ay, there's the tablet with its ancient lore,
Replete as our strong Saxon—nothing more.
Prize not too highly ; in their riper age,
A roll of paper never makes a sage ;
So disregard the Latin and the seal,
And draw a moral with this strong appeal.
“ You've tilled the garden of your brain,
You've sown it with a precious grain ;
Now tend it with a father's care,
And guard it by your daily prayer ;
Swear by the shades that watch the brave,
To harvest laurels or a grave.”

But let's reflect a moment ; my frail pen
Is instinct with the meaner thoughts of men,
While conscience whispers as she bids us pause,
Man wins no honors from an unjust cause.
That chaplet sits the lightest wove of flowers
Plucked in their sweetness fresh from duty's bowers.
Recall the hero laid in Springfield's tomb,
And mark the laurels there are seen to bloom.

A double lesson draw we from his fame,
“ The glory and the nothing of a name.”
Go, weeping patriot to that turf-grown mound,
Uncoveted, alas, as graves around ;
Beneath it lies the pilgrim of a day,
Whose nod shook thrones a thousand leagues away ;
Navies obeyed it, countless armies saw
And did such deeds as held the world in awe ;
A thought, a glance intent, a whispered tone,
Could shame the storm with thunder all his own.

A nation grieves—for what? because a power
 Hath been eclipsed, hath lived its transient hour?
 Not this unsealed the fountains of our woe
 And caused their bitter, burning tears to flow.

Let others mourn a king's eternal sleep,
 Our action prouder: 'tis a *man* we weep!
 Columbia kneels above his silent tomb;
 To deck his grave our eagle plucks a plume;
 And Afric mourns; her warmest tears are shed
 For him the wise, the generous, the dead.
 Ay, bitterly the nations weep, for he
 Of earth-born sons desired to make men free.
 When finer senses flee the souls of men,
 When Honor's pulse shall never throb again,
 When Virtue's self shall seek an unknown shore,
 Then shall his laurels droop to bloom no more.

But blank oblivion is the human lot,
 A man may shake the world and be forgot;
 Yet if there be one name that shall remain
 When chaos claims the universe again,
 One lingering star whose feeble rays shall climb
 The lessening summits of dissolving time,
 If such there be, it will be thine to stay,
 And sadly flicker o'er a world's decay.

Abstract of the Annual Report

OF THE

VICE PRESIDENT OF THE COLLEGE,

TO THE

BOARD OF TRUSTEES,

1864---1865.

[PUBLISHED BY ORDER OF THE BOARD.]

REPORT.

THE college laws require me to report annually to the Board, "The method of instruction, the state of discipline, the condition of the college premises and property, and all matters pertaining to the general interests of the Institution."

With regard to the "method of instruction," the reports of the Professors and Teachers, already read, are probably a sufficient indication. The recitations and lectures are systematic, thorough, and punctual, as much so as they are in the oldest colleges of the country. The peculiar spirit and culture of college education are beginning plainly to appear.

The state of discipline in the college is all that we could desire. The year has passed without any serious breach of decorum. The students are attentive and respectful, and show a commendable improvement in a scholarly spirit, and in gentlemanly manners.

Of the departments filled by Professors Durant, Kellogg, Brayton, and Hodgson, very little needs to be said here, since the facts are familiar to all the members of this Board. It is in these departments that the college compares most favorably with the best colleges in the East.

The Department of Modern Languages is satisfactorily filled, so far as it can be in the time which it is possible to assign to it. As the classes came into college with better preparation, it will be possible to push them further on in a knowledge of these languages, so as to bring the student into the enjoyment of the literature which they contain.

In the Department of Natural Science the text-book instruction has been given by Professor Hodgson. A Course of Chemical Lectures was given to the Senior Class by Professor Kinney, now of the San José Institute. A Course of Lectures on Anatomy and Physiology was given by Dr. W. P. Gibbons; and Lectures on Literature, History, and the Scriptures, were given by several gentlemen invited by the Faculty. It should be said just here, that in the Department of Natural Science is where we should make immediate efforts to increase the advantages of the Institution. Special note should be made of this by the Board, and proper measures to this end should be immediately set on foot.

Moral and Intellectual Philosophy have been taught by Professor Durant, while History and the Constitution of the United States have fallen in Professor Kellogg's Department. In general it may be remarked, that the college spirit more and more pervades the Institution. It is pleasant also to be able to report that numbers begin to increase. The entering Freshman Class numbers fifteen already. The number coming forward in the Preparatory Department are much larger than formerly, and are likely to increase. And touching that department it may be truly said that it is in a very flourishing condition. Thus the reports herewith submitted clearly enough show. In this school the Classical Department has always, from the foundation of the Institution, been well taught. But now it is so systematized under its present Teacher, Mr. Sanborn, who devotes his whole time to it, and who succeeds in inspiring the pupils with a true scholarly zeal, that it is bringing forward regular annual classes through a prolonged course of thorough classical drill. It needs maturity, and this will come in time. Parents must be convinced of the importance of holding their sons to a thorough preparation for college, in order to their being able to receive the proper and full benefit of the college course. At present this institution is the only feeder of the college. Without it, the college could find no students. This, we hope, will not long be the fact.

In this connection it may be remarked that the recently established classical department in the San Francisco free schools seems to be working admirably. It is to be hoped that the boys to whom this great advantage is now offered, will show by their perseverance in the course of classical study, that they appreciate its value and are determined to make the most of it. The classics are taught to a certain extent in the high schools of some of our other cities but not, so far as I am informed, to the extent of fitting pupils to enter college.

Something should be said of the library. Our little collection of books has been somewhat increased. In the spring came the fine series of Coast Survey Reports, with maps and profiles, from the Department at Washington. Some valuable volumes were contributed by Mr. Day, and some by Rev. Mr. Brodt. In May, came the books from Connecticut, the private library of the late Rev. Mr. Hart,—contributed by Mrs. Hart, through the agency of Rev. Dr. Baldwin, Secretary of the Western College Society. These books, numbering between six and seven hundred volumes, are a noble addition to our list, and will increase largely to the permanent value of our library.

Suitable shelves need to be provided for these books before our next term commences. The cases for minerals and geological specimens should also be extended, since all the room we now have is packed full. I take pleasure in saying here, that the free use of the Odd Fellows' Library, in San Francisco, has been tendered to the Faculty and to the members of the Senior Class of the college, and has been used with great advantage during the year past. This library would be considered a choice one for any college. It is one of the best,—if not the very best in the State. It is so near to us, that it goes far towards supplying the deficiency of a well-selected library of our own. Such a library we ought soon to have.

A word respecting apparatus. Enough was procured two years ago for Professor Brewer, to serve the purpose of his excellent course of lectures on Chemistry. It was somewhat increased last year by Mr. Kinney, who gave the lectures; and all we have is in good condition and will serve hereafter. One new piece, at least, must be procured immediately, and that is an air-pump. And it

should be of the best sort. What I have said before of our deficiency, as an institution, in the department of science, pertains equally to our apparatus. Our necessity must be made to appeal strongly to the generous men of the State, till somebody is found to contribute the means to enable the college to do its duty in this wide field of science and scientific experiment. The institution ought not to be left a single year so inadequately furnished in departments of knowledge where the world requires special thoroughness.

In reference to the college in general, the close of the year finds its condition sound and healthful. The year past has brought about decided advances in every feature of excellence. The examinations at the close are fairly represented in the reports of Rev. Dr. Dwinell and Rev. W. C. Pond, committee, submitted herewith. These reports, as you observed when they were read, showed both their good points for commendation, and their defects for amendmends.

The Commencement was superior to the former one, in the character of the performances, and in the order and dignity with which it was conducted. The degrees were conferred in course upon the members of the graduating class, and the Honorary Degrees, according to the vote of the Board, as follows: That of M.A., on John Bidwell, Delos Lake, John Swett, Saml. I. C. Swezey, W. H. L. Barnes, and S. H. Parker; that of L.L.D., on Oscar L. Shafter; and that of D.D., on M. C. Briggs.

The meeting of College Alumni on the day preceding, was again this year, as it was last, an occasion of great interest. The numbers present were about as before, and the exercises were not a whit behind in excellence. A permanent Association of Alumni was formed, to meet annually with the college, on Commencement week, to have its oration, poem, and supper, with accompanying off-hand speeches, as heretofore.

The condition of the finances of the college are shown in the Treasurer's Report and the accompanying papers, together with the statement of the resources by which the institution is to be sustained for the year to come.

The Homestead Association, which has been organized during the past year for the purpose of selling certain lands adjoining the permanent site of the college, in order to open the way for the re-

moval of the institution as soon as possible to its permanent home, is progressing well. By the terms of its subscriptions, its monthly installments will close with April next.

When all its shares are taken, and the dues thereon paid, a fund will be accumulated with which to proceed with the improvements necessary to placing of the college where it is to remain. In anticipation of this, the survey and laying out of the College Park, and, in fact, of the whole tract of land owned by the college, has been put, by direction of the Board, into the hands of Fred. Law Olmstead, Esq., who has already undertaken it. When this work is completed, and a map shall be presented by which this property can come into market, it is believed that enough can be sold to realize the money that will be still further required for contemplated improvements.

Already considerable has been done in the way of starting ornamental trees in nursery. Seeds of several kinds of trees were procured last winter—some from Europe, some from the Eastern States, and some from this State, and from them a great many thrifty young trees are now growing. The work of planting seeds should be prosecuted next winter on a still larger scale.

The growths will then be ready for use in two or three years from this time, and be of great value.

With respect to water supply. Of the nine springs belonging to us, one, the nearest to the college site, is only about three thousand feet from the proper place of the reservoir. I have made some inquiries and estimates as to the cost of bringing the water of this spring into a reservoir, and leading it in iron-pipe to the places on the college grounds, or homestead tract, where it may be required for use. I submit the figures from the engineer and others, herewith, merely remarking in this place, that for a few thousand dollars, this spring alone can be made to yield an ample and unfailing supply of water for twenty or thirty houses, including all uses for which, in a rural residence, it may be wanted, the reservoir being at least one hundred and fifty feet above the buildings or localities to be supplied.

When the flow of this spring is not enough, the others can be brought in, in like manner, along the same line from their greater distances, and altogether, you will remember, they were flowing,

last October—the dryest month of the dryest year—over one hundred thousand gallons a day.

Their daily flow, is, at this time, probably two or three times that, and by proper treatment it could be made much greater than it is. Properly developed and managed, this water may be made a very important, permanent, and useful part of the college property.

All of which is respectfully submitted.

S. H. WILLEY,
Vice President.

COLLEGE OF CALIFORNIA, }
July 7th, 1865. }

SPEECH

4

DELIVERED BY

GEORGE C. GORHAM

OF SAN FRANCISCO,

UNION NOMINEE FOR GOVERNOR,

AT

PLATT'S HALL, SAN FRANCISCO,

Wednesday Evening, July 10th, 1867.

Published by order of Union State Central Committee.

SPEECH OF GEO. C. GORHAM.

Mr. Chairman, Ladies and Gentlemen:

The united voice of San Francisco in the recent State Convention of the Union Party, meeting with a favorable response from more than a hundred of the delegates representing the interior counties, made me the choice of the dominant party in the State for the chief office in the popular gift. The action of the majority being deliberately and fairly expressed, the minority of the Convention voted to make the nomination unanimous. The honored leaders of the party, the entire party press, and the masses of the Union voters—whose power cannot be successfully resisted—seem to sustain the decision with as near an approach to unanimity as is usually seen in the first month of a political campaign. Struggles for political preferment never are and never can be decided without giving rise to temporary disaffection. The present time furnishes no exception to this general rule. It is, perhaps, the part of wisdom and of good taste in those who prevail in such struggles, to bear with the few who, through infirmity of temper, manifest impatience at the defeat of their favorites. I am not here, therefore, to scold, or to indulge in personalities; nor yet to go in review through the dull and dreary details of the recent primaries and conventions in the several counties. I am willing to leave all that to such as are now out of temper, trusting that long before the day of election they will have exhausted the subject, and, in obedience to their patriotic instincts, habits and antecedents, be cordially sustaining the nominations of the party, and doing battle against the enemies of republican liberty.

I am here to pour out my heart to you, the generous people of this great city; to tell you how proud I am of the honor you took the initiative in conferring upon me; how sacred I deem the trust imposed; how earnestly it is my purpose on all occasions to show that your confidence has been safely bestowed; how strong the tie of gratitude and affection which must during my life bind me to San Francisco.

I never importuned you for office. Although I took an active part in the formation of the Union party of this State, and have ever labored zealously for its success, I never sought or accepted any office within its gift. The part I have taken in party politics up to this time has been, though active, an unobtrusive one. I have with my pen done all I could for the propagation of free ideas, and

have ever advocated bold party action in their behalf. When high places were to be filled, I have exercised a freeman's privilege, and have exerted such influence as I had for the men of my choice. When the names of several worthy citizens had been named for the governorship this year, some of the party expressed a preference for me. The most strenuous exertions were made by and on behalf of all the candidates. The decisions both in this city and at the State Convention have already been stated. And so I, the recipient of this honor, come to you to-night to pledge to you my sacred honor, that nothing in my future career shall cause you a solitary regret at having supported me, and to say to you that whatever of intelligence, energy and will I may possess, or which I may grow into the possession of, shall be devoted to the best interests of San Francisco, whenever and wherever they may be brought in question, subject, of course, to my duty to the State. I beg of you not to deem these the words of idle formality. They come out of earnest depths. To my mind, the mere election to the office of Governor, would not of itself be success. True ambition mounts higher. It is not satisfied with securing place, but labors afterwards to deserve the good opinions of good people. I would rather never be Governor than to have it said that as Governor, I had failed to meet the just expectations of the people of this city and of the State. But enough concerning myself personally. Let us pass to the consideration of the issues of the times.

The people are divided into two political parties upon a question of national importance—a question the settlement of which is to determine, for weal or for woe, the future destiny of the republic—and that is the question of RECONSTRUCTION. It is to that subject I wish now to call your attention. Our votes, in common with the votes of our countrymen everywhere, are to determine it, and, in determining it, to decide whether our patriot dead shall rest in honored graves, because they died for freedom and nationality, or whether liberty itself shall be proclaimed a vice, and its devotees become the hated of mankind.

The struggle of slavery for continued dominion in the United States is familiar to all, but the tenacity with which it still clings to life, despite the result of the war and in contempt of the opinions of the civilized world, is not so well known. The public mind has been lulled to a sense of security, by mock concessions having no root in good faith.

I shall not rehearse any of the history of the war, nor yet of slavery. But I shall ask you to hear me attentively and patiently, while I briefly review what has occurred since the close of actual hostilities in the spring of 1865.

The rebel State organizations which collectively formed the Confederacy, expired with the Confederacy. So said the President; so said Mr. Seward; so said Congress and the people. Those States had been left by the rebellion "without any civil Government whatever." These were the very words of the President, supposed to have been furnished him by his Secretary of State. Eleven unor-

ganized chaotic communities, obeying no authority, save the military, in such districts as were in actual occupation; peopled by a violent and frenzied mass of the Nation's baffled enemies, and by emancipated slaves, with here and there a white friend of the Government. The Federal armies were well organized, and could easily have been so distributed as to have kept the rebels, stung as they were with the mortification of defeat, from doing violence upon the white and black Unionists of the South, had such a course been pleasing to the President. But unfortunately, he was, when too late, found to be on the wrong side. The country expected to see the emancipated negroes protected from the brutality of the rebels; and everybody knew that to secure this, one of two things was necessary, viz: Military rule, or black voting. The President had no such object in view. He wanted the rebel slaveholders to be relieved of all embarrassments, disqualifications and losses, growing out of their defeat; and wanted, for their sake and in their behalf, to practically nullify the amendment abolishing slavery. To secure these results, it was necessary to give the rebels the monopoly of voting, to remand the negroes to their previous status among the brute creation, and to cause the military power gradually to disappear. This purpose was made perfectly clear by the first movement of the President on the subject of reconstruction. Forty-five days after the crime of Booth had given Andrew Johnson the power to attempt the resuscitation of slavery, the vindication of rebellion, and the discomfiture of the victorious North, he issued the North Carolina proclamation for the reorganization of that fragment of the Confederacy, following it at short intervals with similar directions to all the rest. This proclamation was a model of audacious craft and cruelty. It purposely consigned the black and white Unionists of North Carolina to the mercies of the rebels, whose hatred for them could only be measured by the bitterness of their regrets for the "lost cause." The proclamation was clearly a usurpation, for it was an attempt to *make* law by a department which under the Constitution could rightfully *execute* the law, merely. The Congress could easily have been called together and its legislative power invoked for the grand occasion. When could a more commanding necessity have arisen for the convening of that body in special session. But the President said he had his foot on the Yankee element in the nation, and he was determined to keep it there; so testifies one of the witnesses before the Impeachment Committee, and his whole conduct shows that to have been the moving sentiment by which he was governed. And so for the eight months which intervened between the surrender of Lee and the assembling of Congress, the conquered Confederacy ruled at Washington and in the southern regions. In the Capitol it bristled and strutted, darting angry glances at misguided Union men who ventured to seek the presence of the President, and securing pardons for unrepentant rebels of every grade, and every degree of insolent bearing, with as much facility as one obtains a programme at the theatre. In the South, it rioted in legislative contrivances for de-

feating the national will, and preserving the substance of African slavery.

The proclamations of the President (and Mr. Seward) authorized State Conventions, and fixed the qualifications for voters. And here came the wretched diabolism whereby two vain men undertook to set aside the final decision rendered on an appeal to arms taken by the South. Liberty, Justice, National Unity, these prevailed in the field; but by a confusion of words, the President and his Secretary sought to give the victory to Slavery, Treason and Caste. They said truly, in their proclamation already referred to, (and those for the other rebel States were the same) that North Carolina was no longer the organized State of North Carolina. That her lamp of life went out when Davis fled from Richmond. That she had no government whatever. What did this mean? Did it not mean precisely what it said, that no Civil State Law was operative in North Carolina? And if so, did it not mean that there was no law in operation to determine who should vote at the elections ordered by the President? And if the State was "without any civil government whatever," and if the President would not call Congress together to make a law on the subject, and if he was determined to go on alone, had he not the entire say as to who should vote at his elections in the South? What did the proclamation direct in this regard? Why, first it said that none but loyal men should vote. That sounded well. Then it said that two classes should be excluded, viz: All who were not voters under the law which prevailed in 1861, but which was then inoperative because the State, you know, "was without any civil government whatever," and all civil law must be silent in the absence of a civil government to enforce it. This excluded all the black freedmen, and they constituted nearly all the loyal population. The other excluded class was, all such as would not swear that they would bear allegiance in the future! This was not likely to exclude many of the rebels. So you see, I said truly that this diabolical proclamation purposely consigned the black and white unionists to the mercies of the rebels. No man could vote if he was not white, and nearly all whites were disloyal. No white man could be excluded who was willing to swear to his own patriotic intentions, and the doctrine was boldly proclaimed that perjury was no crime when exclusion from the ballot-box was the alternative. This was the cold blooded "plan" whereby the emancipated negroes and the few white unionists were to be fed to the wild beasts of slavery, treason and rebellion. Was it not a horrid mockery? Is it not a wonder that its authors were permitted to go on and try this "experiment" as they called it, instead of being driven from their places by an outraged and long suffering people?

But these enemies of the human race felt the necessity of assuming a virtue, though they had it not. They feared the popular indignation, and made an effort to shirk the responsibility of excluding the blacks from the polls. This they did in this wise: After confining the elective franchise, at this first and decisive election, almost

exclusively to rebels, they had the effrontery to suggest in the proclamation that the Convention thus chosen could regulate the suffrage question in the future, as the States had always done since the foundation of the Government. That is, the rebels could, if they chose, confer the franchise on their emancipated slaves, as they could have done at any time since the foundation of the Government! This statement as to what the Convention could do was superfluous and out of place, and was only brought in to give an opportunity to allude to the power of States over the suffrage question. The phrase was sure to confuse the public mind, and leave a vague impression that, notwithstanding the fact that North Carolina was without law other than the President's will, still, the mere recollection of an old law might suffice to justify him in excluding the blacks from voting at the elections whereby new State organizations were to take the place, not of other organizations, but of the wildest anarchy and chaos. The President could have directed that every loyal inhabitant should be permitted to vote. No defunct law of 1861 restrained him. No traditional power of States over the suffrage question restrained him, for North Carolina had no government through which to assert such power. He wilfully chose the course which he knew would set bloody Treason on the throne of power, and place Patriotism prostrate at its feet. Davis sought to destroy the nation by force. This new crime was an effort to inject into the nation's veins a fresh supply of the virus which had so nearly produced death before. I know of nothing else so hideous in history. Well, it worked as intended. The conventions of the several States assembled, stocked with blatant traitors and guerrilla chiefs. Legislatures were chosen of the same material, and the infernal mill began to grind. The conduct of those legislatures was a disgrace to human nature, and a defiance of the God of Justice. They enacted that negroes should neither buy nor sell; that they should not leave the plantations on which they were at work; that they should work constantly under such contracts as their grasping and cruel tormentors might be willing to make with them, or be sold into a term of compulsory labor; that they should be accursed if they left an employer, and should be hunted down and returned, and sold for expenses; that whoever fed one of them under such circumstances, or gave him medicine if sick, should be fined or imprisoned, or both, at the pleasure of a negro-hating judge; in short, that a negro, made free by the laws of war, by the Constitution of the United States, and by the will and conscience of the American People, had no rights which a rebel legislature, basking in the sunshine of Presidential approval, was bound to, or would in any manner respect.

These things were not, of course, displeasing to the apostate President, nor to the malignant Anarch who sat by his side—his prime minister—tutoring him as to how best to organize national ruin.

A few men spoke out, during that terrible summer, in all of the States; others thought it better to wait for the President to retreat. I raised my own feeble voice here, and succeeded in arousing some

to a sense of the impending danger. The journals which daily denounce me, in the interest of the Johnson Democracy, were then singing lullabys to the people, and were careful to admit to their columns no words of warning. They wanted no agitation. They preferred pro-slavery stagnation or reaction, to progressive justice. They refrained from advocacy of the right until they were coerced by the pressure of public opinion, as they had been before.

During all this time the Administration had declared officially that its work in the South was experimental and provisional only; that Congress could set it all aside. But when Congress assembled the new pretense was set up by the President that Congress had no power to do anything except to decide as to the regularity of the election of Senators and Representatives from the rebel States. The winter was spent in heated discussion, in the passage of bills for the protection of white refugees and freedmen in the South, and in agreeing upon amendments to the Constitution, which should be conditions precedent to re-admission. The President's opposition to all protective legislation, and his veto messages, aroused the loyal North to a feeling of intense indignation. A Joint Committee on Reconstruction submitted a report in which the legitimacy of the Presidential State Governments South was denied, and the power of Congress over the whole subject of reconstruction clearly asserted. The Congress then adjourned, and upon the proposed amendments, and the Report of the Reconstruction Committee, the people of the Loyal States were called upon to decide as between the "policy" of Congress and the "plan" of the President. The people of the Rebel States were at the same time called upon to act upon the proposed constitutional amendment. The absurd gathering known as the Philadelphia Convention, made up of the fag-ends of faction and the lackeys of the President, met and formed a party which was the sport of a month, sinking at the end of that time under a mountain of derision which nothing human could endure. Then came the famous tour of the President, and then the election. The result in the North was the overwhelming defeat of the reactionists, and the triumphant endorsement of Congress. At the South the constitutional amendments were rejected, under the President's advice. The new Congress assembled, and again the President demanded that the Representatives of his Rebel State Governments be admitted to seats. He ignored with disdain the voice of the people to whom he had so confidently appealed, and who had just spoken with such terrible emphasis. Decided action on the part of Congress then came, in the form of the Military Reconstruction Bill, by which the sham governments erected in the South were swept away, and military rule was substituted. The bill contained no harsh provisions. It simply disqualified leading rebels from holding office until Congress should by a two-thirds vote remove the disability, gave the ballot to all without distinction of color, and provided for the re-organization of State Governments, and re-admission into the Union on the basis of the adoption of the constitutional amendment. No word of confiscation, or of punishment

for past offences. Simply a requirement that no portion of the people should be oppressed. It became a law. Many of the bravest leaders—military and civil—of the late rebellion acquiesced in the measure, and urged their people to do the same. They were and still are anxious for a return of peace and stability, and for a resumption of the ordinary flow of business currents. But the satanic spirit which conceived the stupendous folly of attempting to cheat the nation of the fairly won fruits of the war, is still industriously at work. Every possible obstacle is thrown in the way of the only settlement of the question which the loyal people will ever permit. The President and his Attorney General have now ascertained that the military bill is little better than so much blank paper—that the removal of the murderer Monroe from the mayoralty of New Orleans by Gen. Sheridan, was unlawful—and if such is the case, of course he must be reinstated—and that the military authority in the South is still subordinate, not to rightful civil governments, but to those odious and illegitimate concerns which Congress and the people intended to set aside. A few days will show whether a supplemental law can be framed and passed at the extra session, which will command the respect of the Executive.

Thus, I have endeavored rapidly to sketch the political events of the past two years. Now for the application.

It is plain to all but those who are determined not to see, that the accursed spirit of slavery is not conquered; that "the snake is scotched—not killed." It seeks to re-establish its dominion in the nation, and is preparing, with its ancient ability and activity, for the Presidential election of next year. The Congressional policy would be accepted at the South, and the great conflict ended, if the better class of the Southern leaders were permitted to have sway. But the Northern Copperhead party see in this their downfall and final ruin. To the President it would be political annihilation. And hence it is, that while Hampton, Longstreet, Brown of Mississippi, and others, counsel submission, Northern Democratic Conventions are urging the Southern people to continued resistance, and the law officer of the Administration is busy splitting hairs to show that by some oversight Congress has made the national military power subordinate to the rebels, and that all is not yet lost in the Southern struggle against Liberty.

By superhuman exertions, Connecticut was gained to the Democracy. The platform of that party in every Northern State is to be hostility to the Congressional plan. The gain of one State gave a check to the growing inclination of the Southern people to acquiesce in that plan. The Administration, by its new movement against the plain intent of the military bill, is endeavoring to give the Southern States fresh courage to renew their claim to be considered as fully reinstated in all their former rights, including the right to vote on the Presidency. Next year we shall see the Administration Democracy struggling to carry electoral votes enough, counting the Southern States in, to make a majority of the whole. If they can accomplish this, they will claim to have elected their President

under the constitutional forms. This pretence would, of course, be resisted by all who claim for Congress the right to decide the status of the rebel States. Then would come the struggle for the possession of the national government. Each party would claim the legitimacy, and hold the other to be rebels. Such a conflict would not be confined to a section, but would be a hand-to-hand strife in every city and village throughout the land. The loss of two or three States to the Union party at such a time would be a dangerous experiment. Shall California make the bad beginning? Is any loyal citizen ready to invite these dangers by encouraging two or three hireling newspapers in their shameless attacks upon the Union organization? To all who have, during the years of the war and since, stood firmly by the colors of the Union party, I say, beware of being deceived by the hypocritical malice of those who seek to destroy the party they have failed to rule, under the mean and cowardly pretence that they desire its purification.

The platform of the California Democracy seems to have been compiled from the letters of Petroleum V. Nasby. Some statesman, who could not be allowed a nomination, was probably soothed by being allowed to prepare this declaration of principles. It contains sixteen resolutions, most of which mean nothing, while others are in deadly opposition to the irrevocable purpose of the loyal people.

The first resolution graciously recognizes the existing Government of the United States—known to all readers of Democratic literature during the war as “the Washington concern.”

The second resolution declares that the questions involved in the late rebellion have been settled by the result of the war. But whether the result of the war is to be rebel sway under Johnson’s plan, or loyal rule under the laws of Congress, is precisely the great overshadowing issue of the day, as may be seen by the next four resolutions. Here they are:

Resolved, That, in order that our national difficulties may be speedily adjusted, and the Union restored on a permanent and satisfactory basis, the States lately in rebellion should be dealt with in a spirit of kindness and forbearance; and we regard the course of Congress, in what is known as the Reconstruction measures of that body, as harsh, illiberal and oppressive, and more likely to result in a hollow truce than an enduring peace.

Resolved, That the only way in which peace and concord can be re-established is by conforming to the requirements of the Constitution, and defeating the Radical party, who spurn its provisions, and imperil the Union by their mad and seditious course.

Resolved, That to effect this object we solemnly pledge our best and most untiring efforts; that the accomplishment of this one end is the one grand quest now pending, transcending all others in importance, and that the present imminent perils of the country demand the union of all conservative hearts and hands, irrespective of former or present party names, in a vigorous effort to maintain the Federal Constitution in its integrity, and secure its operation according to the spirit and intent of its founders.

Resolved. That the scheme of reducing a portion of the United States to Territories and stripping them of their rights, enjoyed from the foundation of the Government, is so absolutely opposed, not only to the dearest provisions of the Federal Constitution, but to every sound idea of practical statesmanship, so dangerous as a precedent, and so thoroughly antagonistic to those principles of revered rights and local self-government, which underlie our republican system, that it is the duty of the people of California, without distinction of party, to set upon those measures the seal of their condemnation.

These four resolutions will be found to contain the following propositions:

1st. That the United States Government is oppressing the Southern people.

2d. That the Congress and its adherents (the radicals) are imperiling the Union, and that, unless they abandon their position and subscribe to the Democratic creed, the country will not be permitted to have peace and concord.

3d. That the defeat of the policy of Congress is the one grand question, transcending all others in importance.

4th. That the recognition by Congress of the fact that the lately rebellious States are in an unorganized condition, is reducing States to Territories, defying the Constitution, and denying the plain right of the people thereof to an immediate voice in the Federal Government and the incoming presidential election.

It will be observed that our opponents do not differ with us merely as to the policy of our measures. They seek to save the Constitution itself, which they say we are endeavouring to destroy. They go into an election with us, when for them to peaceably accept a defeat would be to consent to the total abolition of Constitutional Government. If they sincerely believe one-half of the declarations of their platform they ought to be rallying to the battle field, and not to the ballot box. They are the basest of all men on earth to tamely submit to such outrages as they charge us annually with perpetrating upon the Constitution of their country.

If I have fairly stated the substance of the Democratic creed, I submit that I have not overstated the possible dangers which may beset the country in the next Presidential election. If the unorganized States South, and the Democratic States North can be made a majority in the electoral college, we shall have civil war growing out of the contending claims of the two parties to legitimate ascendancy in the nation. In such an event, to which side would you have California adhere? This question you must decide at the approaching election. You would know what to expect of me in such an emergency were I at the head of the State Government. You also know what you would have to expect of my opponent under like circumstances. Choose ye.

But such a deplorable time will never come. The loyal States will stand firm. California will *not* go over to the enemy, nor will Oregon or Nevada. The Pacific States have too grand a destiny looming up for them in the years to come to admit of their pursuing such a course. But were it possible to defeat the Union party in California, in September next, there would be heavy hearts throughout the nation. The cause would be imperilled in the adjacent States; and to lose the Pacific group would lead to demoralization at the East, the consequences of which it is impossible to estimate. It is well that the solid men of business in this city should think of these things. Let those who desire a return of tranquility, and the complete re-establishment of peace and governmental order in the country, lend no countenance to the brawlers, who to gratify private malice, would gladly defeat the Union party in California. Let them give no heed to the spiteful ravings of the little tribe who, by newspaper assaults upon me, labor to injure and weaken the party. Their every utterance concerning me is wantonly false and

founded in baseness. More corrupt miscreants do not infest any people. I shall not purchase either their silence or their praise. I defy all such creatures to do their worst. Let any record be brought to light by which I can be shamed. I know them to be unscrupulous, mercenary, cowardly and malignant. Vipers that they are, have they not seen that they "gnaw a file?"

But to return to their betters—the Democracy. We had reached the seventh plank in their platform; and here it is.

Resolved, That we believe it impracticable to maintain republican institutions, based upon the suffrage of Negroes, Chinese and Indians; and that the doctrine avowed by the Radical leaders, of indiscriminate suffrage, regardless of race, color or qualification, if carried into practice, would end in the degradation of the white race, and the speedy destruction of the Government.

Sublime statesmanship! What courage! what foresight! We were about to be lost—we the Caucasian race—by the intrusion into the ballot box of Indian and Chinese votes. With this resolution as our guide, all may yet be well. I know of no party or faction which favors "indiscriminate suffrage." Let the elective franchise be restricted to native Americans, exclusive of Indian tribes, and to persons of foreign birth, who can come up to the requirements of the naturalization laws, and the country will be safe.

The eighth resolution declares the right of the States to control the suffrage question. That such is now the case cannot be denied. It is likely that the Federal Constitution will be so amended as to place the matter under national control. We lack one of the chief elements of nationality, so long as our citizens hold the elective franchise—the privilege of a voice in the government—at the mere caprice of the State in which they may happen to reside. If this change is made, it will obviate the necessity of an amendment to our State Constitution, which will otherwise soon be demanded by the popular sense of justice, enfranchising those citizens of the United States, resident in the State, who are now excluded from voting on account of color.

The 9th and 10th resolutions advocate economy and low taxes.

The 11th and 12th are touching in the extreme. They, the Democracy—think of it, the Democracy—are opposed to all unprincipled men, all corrupt legislation, all political schemers, all depletion of the public treasury, all wasting of public money in reckless appropriations and private wants. Who can for a moment doubt the sincerity of these declarations made by the remnant of the chivalry? The history of the Democracy of California might, it is true, show that these views are slight innovations upon their past; but then men have a right to change their lives and opinions; and since the Rev. Mr. Nasby has become the friend and brother of the negro, why should not our opponents experience as great a change, and fearlessly proclaim themselves opposed to theft?

The 13th, 14th, and 15th resolutions are addressed to the laboring classes. They oppose "an *undue* influx of Chinese and Mongolians," generously leaving every voter to judge for himself as to about how extensive an influx is desirable. They declare it to be the duty of Congress to prevent the "undue influx" aforesaid, giv-

ing Congress no light as to the what might be deemed a due influx. Knowing that the State Legislature has no power in the premises, they grow bolder, and demand of that body the exercise of all its power to prevent the introduction of Mongolian laborers. The resolution seems to have been intended as an ingenious evasion of the Chinese question.

Much has been said of my own position on this subject, and I shall make no apology for here reading to you two letters of mine, in which I defined my position :

THOMAS GRAY, Esq., President of the Central Council of the Pacific Anti-Coolie Association :

SIR—I am in receipt of your communication of this date, inviting me to attend and address an anti Coolie mass meeting to be holden under the auspices of the above-named Association on the evening of the 24th instant, and soliciting an early reply.

For reasons which I will state as briefly as possible, I cannot attend the proposed meeting.

If I understand the avowed object of the so-called anti-Coolie movement, it is an attempt by men of the European race to prevent, by all lawful means, the employment, at the various industrial callings in California, of men of the Asiatic race. I am not in favor of such a scheme. If, as some believe, ignorant Asiatics are improperly induced to make contracts with capitalists of their own race, by the terms of which they are to owe service or labor in this State for a term of years without a good consideration, I will aid by any proper means to remedy the evil. I am opposed to human slavery, and to all its substitutes and aliases; Coolieism, peonage, contract systems in which one side makes the bargain for both—these are all abhorrent. But because I am an anti-slavery man, I am not also an anti-slave man. Because I detest the overreaching man who would grind the faces of the poor, I do not also detest the poor. Because I am opposed to the Coolie system I am not the enemy of its victims. I believe in the Christian religion, and that rests upon the universal fatherhood of God and the universal brotherhood of man. The same God created both Europeans and Asiatics. No one man of whatever race has any better right to labor, and receive his hire therefor, than has any other man. To controvert this is to contend with Him who said to man : "In the sweat of thy face shalt thou eat bread till thou return unto the ground." As a question, then, of right and wrong, I am as emphatically opposed to all attempts to deny to Chinamen the right to labor for pay, as I am to the restoration of African slavery, whereby black men were compelled to labor without pay. This is with me an earnest conviction, the expression of which I have no desire to avoid.

As a question of policy, I am equally opposed to your movement. It is certain that the millions of Asia will, at no distant day, learn to consume some products of our own country. Imagine, if you can, a single article of American production, which, if it should come into general use in China, would not give employment to a greater number of our own race here than the whole immigration of Chinese can amount to for years. As we treat strangers in our land so will our countrymen be treated in the land whence those strangers came. We sought commercial intercourse with China and Japan. Now that we have succeeded in breaking down the Chinese wall, let us not hasten to erect an anti Chinese wall at home. The question of cheap labor I will not here discuss, but it seems certain to me that if we could have it in abundance, the State would go forward at such strides as would make prosperity general among all deserving classes.

Principle and policy, then, both forbid the attempt to make war upon our Asiatic brethren.

In conclusion, let me suggest that the Chinese now in our midst, and those who may come hereafter, must either work, steal, beg or starve. It would be difficult to make an argument to show that the creation of so large a number of street-beggars, or of thieves, would be compensated by the fact that none but men of the European race were permitted to earn a livelihood in California. As to starvation, the mere word makes us shudder. So, after all, if we would not have the Chinaman steal, beg or starve, he must be allowed to work.

I cannot believe that you, an old Republican of 1856, became so imbued with caste prejudices, while sitting as a delegate in the Philadelphia Convention, as to be ready to deny the rights of man to the humblest of your fellow-creatures. I beg of you, therefore, that you will place before your Association my reasons for declining the invitation extended me, and that you will, at the same time, join me in my efforts, kindly intended, to direct the thoughts of your associates to this, the other side of the question, so interesting to them.

With respect, I am your obedient servant,

GEORGE C. GORHAM. |

SAN FRANCISCO, April 19th, 1867.

EDS. DISPATCH:—Your courtesy in giving room for my letter on the Chinese question, and the good temper of your comments thereon, render it incumbent on me to reply as to whether I can endorse the second resolution of the platform of the Workingmen's Convention, now in session in this city, which is as follows :

2. That the importation of Chinese, or any other people of the Mongolian race, into the Pacific States or Territories, is in every respect injurious and degrading to American labor, by forcing it into unjust and ruinous competition; and an evil that should be restricted by legislation, and abated by such legal and constitutional means as are in our power; and that we shall not vote for any man for any office, who is not opposed to such importation.

Unhesitatingly do I respond in the affirmative. The "importation" of Chinese coolies, is quite a different affair from the immigration to our shores of such as choose to come. I trust that Americans and naturalized citizens will ever stand ready to welcome to the air of freedom, any of the human family who seek an asylum in this land of boundless resources.

I belong to the party of Free Labor, and am, as stated in the letter already published, "opposed to human slavery, and to all its substitutes and aliases: Coolieism, peonage, contract systems, in which one side makes the bargain for both—these are all abhorrent." Let us labor together to defeat any who would, in violation of our free constitution, impose a system of serfdom upon our State while at the same time, we deal with all who come among us as becomes an enlightened, generous and Christian people.

Very truly yours,

San Francisco, May 26th, 1867.

GEO. C. GORHAM.

I have no qualification to make of these utterances. It is proper here to say that the term "cheap labor," as used in the first letter, was simply intended to mean unskilled labor. I hope that unskilled as well as skilled labor will always receive fair and living compensation. It will be seen that I claim to agree with those who oppose the "importation" of Chinese serfs to this State, and that I am in favor of the free immigration of all who choose voluntarily to come among us, from whatever country. This is in keeping with all my antecedents on questions concerning the treatment of persons of foreign birth. It is only a dozen years since much excitement prevailed, and a political party was formed, having for its basis a prejudice against those of foreign birth. I opposed that movement with all the energy of which I was capable. If I was unwilling to see immigrants from Europe denied political rights in 1855, I should feel that I had made but little progress, were I willing in 1867 to see immigrants from Asia denied the privilege of sustaining life by honest labor. I am at enmity with everything in the form of tyranny over mankind. No man has a right to jostle another who simply asserts the universal right of all to earn his bread honestly, in whatever part of the great world it best pleases him to cast his lot.

Both parties have declared in favor of the passage of a law making eight hours a legal day's work. In my own party I favored this, and I will state my reasons. I do not pretend to be wise in that branch of political economy which deals with the relations between capital and labor. I have always inclined to the opinion that it is not easy to adjust such matters by law. It is not claimed by any that compensation can be so regulated. But it is certain that for some time past much discontent has prevailed among laboring men on the subject of the duration of a day's labor. Whether such discontent was natural or artificial; whether it was well or ill founded, it did exist. Wide-spread and seated discontent is inimical to good order in society; and wherever it exists, it is the business of those who are in power to apply all reasonable remedies for the disease. It seems to me that the sooner the eight hour experiment can have a fair trial, the better for all concerned. It must quickly succeed or fail; and all disputation and feeling on the subject would soon drop in either case. It seems to me well

that the State, as an employer, should readily accede to the trial of the experiment by her employes. It is probable that, without opposition, the next legislature will pass a law making eight hours a legal day's labor on all public works of the State, and in private employments where no different length of time is contracted for. If elected, I shall certainly approve any such bill that may be passed.

The remaining plank of the Democratic platform is the one which denounces as unjust, oppressive and tyrannical, the Registry law. The Southern Military Reconstruction Act, and the Registry law of California, are terrors to the Democracy. The former permits black Americans to vote; the latter excludes from voting all who are not citizens. Unhappy Democracy! What hope is there for your success, when laws are framed to so oppress you? The cry of anguish raised by the enemy is the best proof of the wisdom of Hawes' Registry Act.

Having reviewed the creed of the Democracy, it might be expected of me that I should say something of the candidates. But in contests like these, men are simply the representatives of principles. If Mr. Haight should be elected, it is fair to presume that he would represent the political views of the men who voted for him. He will groan with them in their despair, if the head of the serpent slavery is finally crushed. If, on the contrary, it can again seize the nation in its slimy folds, he will share the general joy of its worshipers. If the rebel party should claim to have elected a President in 1868, by a minority of the votes of the organized States, joined to spurious votes of the unorganized States, they could doubtless claim his aid in asserting power and legal authority in California. I certainly entertain no feelings of personal hostility to my opponent. His party's creed and purposes I abhor. I believe them to be of the brood of Satan. The Democratic party, as it at present exists in this country, is, to my mind, the highest expression of the will of the Prince of Darkness among men. I recognize in that party many good men, who have not understood its darkest purposes, and do not now understand them; men who, during the war, seemed to think that party the power which might, perhaps, woo back to their allegiance a rebel clan too powerful to be conquered. Now that the rebellion has been conquered, and its boldest leaders insist that submission is the manly course, I hope to see the right thinking men come out from among the Democracy of California, and unite with all, of whatever section, in sustaining the will of the victorious nation, as expressed in the legislation of Congress. Especially should the young Democracy break away from the old fossils who keep up their party mummeries because they cannot get into the Union party. Why should you destroy yourselves by watching at the deathbeds of those victims of the pro-slavery disease? Get out into the air of Freedom. Come with us. Do not go to the tomb of the Democratic party and shut yourself in with its decaying carcase. The boys who have come of age during the last three years are very few of them Democrats. None are to be who come of age hereafter. You will do well to move with the

generation with whom your lives are to be spent. Open your eyes; take a long breath, and come along with the procession of the young men of the Union party. Share with them the power which older hands must in due time relax their hold upon, and feel, too, that you are sharers in your country's glory, instead of being mourners at the funeral of the once honored party, now forever disgraced because it aided and comforted the great rebellion. Look forward instead of behind you, and see the light of the beautiful countenance of Freedom, instead of the scowling face of the hateful harridan, Slavery.

When you would read tales of heroism unparalleled, and would have stirred within you the emotion of patriotism, read how our boys in blue—alas, too often forgotten now in the distribution of honors and emoluments—fought for the Flag and for national unity. Sorrow for those who fell, and for those who mourn them lost out of their homes. Sorrow too for the unhappy victims of treason, once your countrymen, who went down before the conquering armies of the Republic; suppress no feeling of humanity, or of holy sympathy with the afflicted; bind up the wounds of your enemy. You will find none of us plotting for vengeance on the conquered. But you will find in our party a determination as inexorable as destiny, and as resistless as the laws of the universe, that no remnant of the spirit of slavery, or of the rebellion which it engendered, shall have power in all this fair land to oppress the weakest or humblest human creature, or prevent him, on mountain or plain, in city or village, north or south, east or west, from freely uttering his most earnest thought, or paying his most fervent devotions to Liberty.

Fellow-Citizens, I have perhaps said enough for this occasion. I told you at the outset of my general purposes and feelings. What need to say more, than that if elected Governor of the State, I will realize the sanctity of my oath of office, and observe it with a full sense of my responsibility to the Great Ruler of us all, in whose presence it must be taken. After all, every new man must be taken on trust, for an honest man need make no pledges, and a dishonest man will keep only such as it pleases him. It has been my good fortune thus far through life to have borne a good name, and never to have been accused of unfair dealing, or of deceit towards any man. If elected Governor, the State will have the first claim upon me at all times, and no one will ever be able to say that I failed to guard its interests, unbiased by favoritism and untrameled by fear.

ADDRESS AND POEM

DELIVERED BEFORE THE

PHILAETHIC SOCIETY,

SANTA CLARA COLLEGE, CAL.,

AT THE

THIRD ANNUAL CELEBRATION,

AUGUST 10, 1870.

Vol. II—12.

D. B.

1870.

[L. M. ...]

PREFACE.

SANTA CLARA COLLEGE, April 28th, 1870.

Dear Sir:—At the last Grand Annual Meeting of the Philalethic Literary Society, you were unanimously elected orator for 1870. Our new celebration will be held some time about the middle of June. We earnestly desire that you will deliver the address.

If I may be allowed to offer a suggestion, it is, that your oration shall not occupy less than an hour in its delivery.

I shall do myself the pleasure of corresponding with you again prior to our celebration. Hoping to hear from you at your earliest convenience,

I remain, your obedient humble servant,

M. J. C. MURPHY,

Corresponding Secretary Philalethic Literary Society.

D. M. DELMAS, San Jose.

SAN JOSE, March 2d, 1870.

Dear Sir:—Your note of the 28th ult. reached me to-day. The same invitation which you have so politely extended to me I had already received from the Rev. Father Young. In answer, I have already apprised him that I would be happy to accept. It only remains for me to repeat here my acceptance. Allow me to avail myself of this opportunity to beg of you to assure your Society of my best wishes, and communicate to them my sincere thanks for the unmerited honor which they have conferred upon me.

Yours, very sincerely,

D. M. DELMAS.

M. J. C. MURPHY, Cor. Sec. P. L. S.

In compliance with the promise given in the second of these letters, Mr. D. M. DELMAS delivered the annual address before the Philalethic Society on the 10th of August, 1870, the celebration having been postponed, together with the inauguration of the College Hall, from the month of June to that of August. The poem *Charity* is the production of JAMES V. COLEMAN, ESQ., of San Francisco, who occupied the position of W. H. Rhodes, of the same city, absent at the time in the East.

At a half an hour after six o'clock, in the afternoon, the annual meeting was called, when a number of honorary members, and the speaker and poet for 1871, were elected. The body then adjourned to the hall, both active and honorary members seating themselves upon the stage, and Rev. M. Accolti, founder of the Society, presiding. Mr. M. J. C. Murphy, a member of the College, opened the exercises with an oration upon *Daniel Webster*; next was Mr. John T. Malone, on *John Philpot Curran*; third, Mr. Coleman, and last, Mr. Delmas.

ADDRESS.

LADIES AND GENTLEMEN, AND YOU GENTLEMEN OF THE PHILAETHIC SOCIETY:—Before proceeding with the remarks which I propose to make, allow me to offer you my thanks for the honor, which, by inviting me to address you to night, you have conferred upon me. Nothing, I assure you, could be more grateful than this opportunity of renewing the ties, which, while a student here, bound me to your Society. Of that Society, while still in its infancy, it was my good fortune to be a member. Our members were few, our means small; but the institution which was then struggling into existence, has since grown to fair and goodly proportions.

Your extensive library, enriched with the works of all the great masters; your spacious chambers, fitted up with the elegance of refined taste; this magnificent hall in which we are now assembled, while they form a strange contrast to the scanty volumes and limited accommodations of former years, attest the progress which has been made. The contemplation of such results may well awaken an honest pride, and afford a theme of congratulation. On no branch of mental culture could your efforts have been more profitably bestowed. To those who watch with interest the course of education in this institution, nothing could be more gratifying than to see the prosperous condition of societies devoted to the cultivation of eloquence and debate.

The value of such societies, wherever they may be formed, cannot be exaggerated. The studies to which they are devoted, will ever be of paramount importance. They give the key to the reason or feelings of others; they teach the manner of guiding their mind and controlling their conduct; they develop the faculty of enforcing our own ideas; they impart self-confidence, and independence of thought and action.

Wherever man lives in society, whether barbarous or civilized, the power of eloquence is felt. But it is only in free and enlightened countries, that it reaches its proper development, and wields its greatest influence. In such countries alone, does it deal with objects of public importance, preside at the councils of the nation, open the avenue to distinction, and form the stepping-stone to successive honors and eminence. Other arts may be cultivated anywhere; they prosper in every clime. Eloquence flourishes only under the influence of liberty.

The atmosphere of courts, the magnificence of princes, may produce a certain elegance of address, and adulation to monarchs may be paid in pleasing strains—eloquence springs from the people. Its manlier tones are heard only in governments of the people.

Greece, Rome, England, America—the land of Demosthenes, Cicero,

Burke, Webster—were ruled by popular government. The few eloquent names which France has transmitted to us, flashed upon the world during that short period, when the absolute power of Kings was giving way to legislative assemblies of the People.

While we realize, then, the importance of eloquence in a country like ours, it may not be amiss to pause at times to cast a glance upon the means which may lead to its attainment, and measure the extent of the obligations which it imposes. To such an inquiry, the present hour seems propitious; and I know not how to better improve it, than by choosing as the subject of my address: The Studies and Duties of the Orator.

Before discussing what are the proper studies of any art or science, it is necessary, in the first place, to ascertain what is the object to be reached by that art or science.

Before speculating about means, the end should be defined. It is idle to debate the fitness of a route, until the point of destination is fixed upon.

The object of oratory is action. Its triumph consists in obtaining from those who are subject to its influence, some act which is the aim of the orator's desire. Its immediate aim may be to move the feelings, or convince the understanding; but, whether it addresses the one or the other, whether it speaks to the former in the language of entreaty, reproach or enthusiasm, or to the latter in the tones of unimpassioned reason, it uses them merely as the springs which are to produce ultimate action. Of all the arts, none is more eminently practical. It seeks immediate, visible, tangible results. It looks for no success beyond the reach of its voice. The period of its power is the present moment. It has no mission for the future.

The philosopher and the poet write for all time. The influence of their works is not only felt by their contemporaries, but extends to posterity. It is not so with the orator. His sphere stretches not beyond his audience. With them the battle is to be fought. Their passions, their prejudices, their bias, their preconceived ideas, are the champions enlisted against him. Victory or defeat follows the last echo of his voice. If no present conviction is wrought upon their mind, if the act desired is not performed, the day is lost and the effort is a failure.

The value of eloquence will be determined, therefore, by its efficiency to move to action those who are subjected to its influence. Its proper study is the acquisition of the means of thus moving them. Those means will necessarily vary with time and circumstances. In oratory there is no fixed, invariable standard of excellence. Style and substance must adapt themselves to various wants, capacities and occasions. Nothing can be more vain, than to attempt to settle by general rules, the requisite qualities of a speech. In those who listen to him, will the orator find the proper keynote of his style, and the means of fixing its character.

The elements with which he has to deal, are already existing. Their mind has been formed by influences over which he has had no control. Their

education, their habits, their institutions are things which are not his to change. To move them, he must adapt himself to them. It were idle to think, that in the brief space allotted to him he can remodel them to his will. The, ancient sages taught, that to know himself was the first study of man. It may with equal truth be said, that to know his audience is the first study of the orator. The object of both is, in its nature, identical. From the knowledge of himself, the philosopher deduced the principles which were to rule his conduct—from the knowledge of his audience, the orator learns the manner of guiding their actions. The way in which the study is to be pursued, is also similar in both. In both, the knowledge is to be attained by an investigation of actual facts, not general principles, of concrete, not abstract truth. In both, the lessons taught by others are not without value; but personal observation is the only sure guide. Civilized man, wherever found, possesses, it is true, the same general characteristics; is subject to the same influences; endowed with the same sensibilities; moved by the same passions; pursuing the same objects: but differences of climate, habits, pursuit, religion, education, governments, have impressed distinctive style.

Of all the productions of the mind, none is more instinct with the spirit of the age and the place which gives it birth, than eloquence. The degree of a nation's prosperity at any period of its existence, its power, its advancement in arts or sciences, the education of its citizens, their moral ideas, the form of their government, their political system, may all be determined by the character of popular oratory which that period has produced. Eloquence does but reflect the age which gives it life. Of all the arts, none is more thoroughly local. It is different in different nations, and different at different epochs in the same nation. Demosthenes spoke to the Greeks in a manner that was never heard in the forum, and which would, no doubt, have been little suited to a Roman audience. The style of oratory which prevailed during the more absolute reign of Elizabeth or the puritan protectorate of Cromwell, has little in common with that which is now practiced in England. The calm, resolute, independent and practical spirit which presided at the separation of the American Colonies from Great Britain, breathed its life in the eloquence of that period; while the sanguinary genius of the French Revolution, its utopian system, its subversive ideas, gave to its orators the peculiar and striking characteristics of their style.

Eloquence will vary, too, with the auditory to which it is addressed. A jury is often approached with arguments and reasoning which would never be offered to a court. A mass meeting is captivated with language which would not be spoken in a senate; in a word, by a knowledge of the audience alone, can the proper style of oratory, in any given instance, be determined.

While upon this subject, it may be asked whether style is not, after all, a matter of rhetoric, to be acquired by a study of precedents, and whether certain orators—for example, those who belong to antiquity—have not left us the best models to be followed.

If, by style, is meant merely the language, the proper selection of words, the construction of periods, rhythm, sound, harmony, or even the orderly divisions and subdivisions of a speech, the question may be deemed of too little practical importance to occupy our attention.

If, on the other hand, by style is meant, the tone of a speech; the manner of appealing to the feelings; of acting upon sensibilities, moral, social, religious, political; of addressing the understanding; the choice of arguments and the mode of developing them—then, it will be found, that nothing is more dangerous than to adopt rules established *a priori*, or to follow the guidance of any model.

Nothing can be further from my purpose than to impeach the study of classic literature. It is now, and probably will be for many years, the best gymnasium known in colleges and universities, for the development of the mind. But to know, to appreciate and to admire, does not necessarily mean to follow. When the orators of antiquity are proposed as models of style, in the sense spoken of, certain facts should be borne in mind. We live in a different age, with different ideas, different systems of government, different religion.

We admire the eloquence of the ancients, we linger with pleasure over its beauties, but it does not follow that they furnish safe guides for ourselves. While we pay them our homage, let us not forget that two thousand years have passed away, since the forum echoed to the voice of the Roman orators. In this gulf of twenty centuries which separates us from the age of Cicero, how vast are the events which have influenced the destiny of the human race, how great the causes which have changed the political, moral and religious state of society.

The mighty empire, whose power spread over every portion of the globe, has been dismembered, the principles of its government have been forgotten, its social fabric has perished, its language has faded away, its altars and its gods have sunk in the dust, its race is extinct. Upon its ruins new nations have been formed, new theories of government have been developed, a new morality and religion have been inculcated, a new civilization has been founded. From all these changes, a state of society has resulted as widely distant from that which existed in Rome or Athens, as the abyss of time which separates them. Our manners, mode of thinking, rules of conduct, philosophy, education, arts, sciences, habits, pursuits, occupations, commerce, political systems, social distinctions, are different. The great ideas which now attend the march of society and form the minds of individuals, inspire their thoughts and guide their efforts, were unknown to the ancients. Arts and sciences, which are the source of our progress, were yet hidden from them. The very names of industry, commerce, finance, civilization, in the sense in which we utter them, find no equivalent in their tongue.

Everything has changed. Can it be that man alone remains unchanged? Everything has undergone the impulse of progress. Is the mind, alone,

doomed to be stationary? While it has given expansion to everything, has it alone remained within its ancient limits? Can it be that the manner of addressing men born and educated under these new influences, is to be learnt from lessons taught two thousand years ago? Have the principles of a purer religion opened no new avenues to the heart? Have the ideas of a better civil liberty furnished no new springs of action? Have the discoveries of new fields of activity and labor given rise to no new energies, new aspirations, new ambitions? Has the general diffusion of education and learning given no new strength, vigor, and breadth to the understanding?

Theoretically, we may reason ourselves into the belief, that society may be influenced by practices which were effectual twenty years ago, but in practice we shall find that it is impossible. Let us not deceive ourselves; the style of eloquence suited to the present day is not that which was proper among the ancients.

Take up the report of any parliamentary or congressional debate, is not the style, the tone, the mode of reasoning, the train of argument, the development of ideas, the establishment and illustration of principles, essentially modern? This need in no way impair our respect for the ancient orators. We admire their productions, because we find them well adapted to the age and circumstances which gave them birth. But while we see to-day that each nation cultivates and requires a different style of oratory, the question is, are the ancient orators proper models now? Can the classics be recommended as guides to the debater or advocate of to-day? Can they be safely followed in an address to a jury or a court, a public meeting or a legislative assembly? In the senate, have Chatham, or Burke, or Fox, or Pitt, or Clay, or Calhoun, or Webster, followed them? At the bar, have Erskine, or Curran, or Brougham, or Pinkney, or Choate, followed them? They have not, they could not do so; the necessity of adapting themselves to circumstances existing around them, led them, as by instinct, to a different style.

Among the eloquent men of our own tongue, no one more assiduously studied the ancients, than Lord Brougham, none evinced for them greater veneration or attachment, none inculcated their imitation with more zeal, and none in practice more widely departed from them.

The withering sarcasm, the pointed irony, the fearless denunciation, the close logical reasoning, the fervor of appeal, the rapidity of thought and language—where in the study of all the classics did he learn these, where did he find them, but in the characteristic traits of his own mind, in the influence of his education, in the events that transpired around him, in the magnetic inspiration caught from the auditory that listened to him?

But I beg your indulgence for this digression. It may not be altogether useless if it has served to express my conviction, that, though precedents may afford aid in the formation of oratorical style, and that, though the study of the ancient orators is admirably calculated to train and develop the faculties of the mind, yet they cannot be safely recommended as models to be fol-

lowed by copying their manner or imitating their style, and that the only safe guides, are experience and observation of objects, men and circumstances.

Mere style, diction or rhetorical arrangement are, however, after all, secondary considerations. The chief study of the orator is to know what to speak. How to speak it, is of much minor importance. In whatever field of oratory a man may labor, his weight and influence will depend much more upon what he says than upon how he says it.

In the activity which characterizes the present age, men aim directly at practical results by the shortest and easiest practical route. They have no time to listen to mere exhibitions of oratorical skill. They look for ideas, not words. Nowhere could mere rhetorical art be more out of place. When the advocate rises to address that variable tribunal, a jury, the anxious question which presses upon the mind of the client, whose life or property depends upon the issue, is not, will he be able to make a fine speech, an address of classic purity of diction, of refined thought, of rhetorical elegance? but rather, will he be able to make an argument within the reach of these twelve men? will he be able to speak level to their understanding, to use such reasoning, such illustrations as they can grasp, such appeals as their condition, their education, their habits, will enable them to feel? In occasions of greater moment, in emergencies which affect the whole nation, when great questions of general interest are discussed, when anxiety, doubt and perplexity agitate the councils of state, the people do not stop to think whether the speeches which are addressed to them are framed with artistic nicety, or sound well, but they ask: In this crisis, what have you to suggest? what is the measure that you propose for our adoption? what is the road practicable and acceptable to all, by which you can lead us out of this strait?

The chief study of the orator in our age and country is, consequently, a study of matter, not style; things, not words; substance, not form. His success depends, not on his ability to please, but his capacity to instruct. Different conditions of society, government and civilization, give rise to different kinds of eloquence. With nations, as with individual men, existence is distinctly divided into youth, manhood, old age—formation, development, dissolution.

Each epoch has its own characteristics. The eloquence of each partakes of them. Its mission, its aim, is in each distinct. Enthusiastic in youth, contemplative and retrospective in age, it is essentially practical in manhood. The eloquence of our country, while it has never possessed the fire of the first, has also been free from the art of the last epoch. It has from the first been, and is now, argumentative, deliberative and practical.

The people of this country cannot be said to have passed through any period of infancy. The first settlers upon the territory of the United States came in the full enjoyment of the advantages of a high state of culture and civilization. Their government was not left to spring from chance or the blind influence of circumstances, but was framed at once under the inspira-

tion of enlightened and rational principles. An organized community, with education, laws and religion, spread at once over the land. In numbers, strength, acquisition, development, the advance of the nation since then has been great, no doubt ; but the spirit of the people and the distinctive characteristic of their institutions have undergone no very material alteration. The main leading trait of their character is now, as it was then, to seek always and everywhere, and in every pursuit, for practical results. In the presence of boundless extents of territory yet to be settled, of inexhaustible resources yet to be developed, of vast fields of labor in navigation, commerce, manufactures, agriculture, yet to be explored, the spirit of the people will ever be active rather than contemplative, dealing with practical ideas rather than rhetorical speculations, fostering with greatest, if not exclusive care, those arts and sciences which help them in their onward march. To be successful, oratory must be animated with the same spirit. It must sternly cast off all merely artificial ornaments, all those devices by which it is made rather the means of exhibiting personal skill, than the channel of conveying sound arguments or useful information.

In all free countries, eloquence finds its chief occupation, and reaps its main reward, in contests which arise in applying or in making laws, at the bar or in legislative assemblies, in the cause of individuals or in the public service. Each sphere has its own peculiar eloquence. But in each the study of the orator is, in its nature, the same. His main concern in both, is the acquisition of the knowledge peculiar to each, and a perfect and intelligent acquaintance with the subjects which he has to deal with. Without this knowledge, no foundation of lasting success can be laid. Law is a positive science, and, without a broad and philosophical comprehension of its principles, it is vain to hope for eminence at the bar.

Elegance of diction, splendor of imagination, all the graces and ornaments of style, will not make up the deficiency.

But the greatest field of eloquence will ever be that in which questions of public interest are debated, and measures of government discussed. The mind expands in proportion to the magnitude of the objects which engage it. Its efforts increase in the ratio of the ambition which animates it. In the present age of the world, it is seldom that distinction is gained by the exhibition of mere individual power. Men establish their claim to the recognition of posterity, not so much by their accomplishment of deeds of personal prowess, strength or ability, as by their identifying themselves with those transactions which have a wide or lasting influence upon the destiny of their fellow men. From the multitude of events which daily transpire around us, and crowd the pages of current history, future generations can do little more than treasure up and remember those, which have left their deep impress upon the human race, changing or modifying the course of its onward march, promoting the happiness, insuring the prosperity, or hastening the ruin of nations.

It is by linking his name to these events, identifying his existence with them, checking or accelerating their course, arresting or diffusing their influence, that the orator of to-day can hope to rise to lasting eminence.

The magnitude and importance of his efforts, like that of all other men, will be measured, not so much by the amount of individual power or intellectual ability which characterizes them, as by the effect which they have upon the current of events.

The importance of a battle, does not depend upon the multitude of contending hosts, the prowess of individual champions, the number of the slain, or the duration of the struggle, but upon the effect which its issue produces upon the prosperity or ruin of the nations engaged.

That which affects a few only, cannot long interest the many. It is for this reason, that the eloquence which is evoked in the cause of individuals, is soon forgotten—not from lack of merit, but because it perishes with the ephemeral theme upon which it was exerted. The contests of the bar often give rise to arguments as remarkable for elegance of style, splendor of imagery, felicity of illustration, accuracy of reasoning, depth of research and broad and comprehensive views of principles, as any pronounced in legislative assemblies; yet how few of them survive the day in which they are pronounced, or remain as enduring monuments to the memory of their authors? Who but professional men read now the arguments of Pinkney, the greatest lawyer and most polished forensic orator of his age? Who, fifty years hence, will remember anything but the name of Rufus Choate? And if the speeches of Erskine still survive, it is because they are landmarks in history—it is because they were a protection, not to mere individual defendants, but were a shield between the arbitrary encroachments of government and the liberties of a whole people; it is because they changed in vital parts the course of legislation and judicial trials of the country, and gave an impulse to better and purer ideas.

On the other hand, where is the posterity so remote, that it will forget the productions of Chatham, or Burke, or Fox, or Clay, or Calhoun, or Webster? What history of England can be written, without consecrating an ample page to the speeches on American taxation, on Parliamentary reform, or the great contests between Fox and the younger Pitt? What pen can trace the lessons of the last sixty years in our own country, without rehearsing the great debates on the war of 1812, on internal improvements, on the tariff, on nullification, on the bank, on the veto, on slavery, on the annexation of territories, on the Mexican war, on the great compromises? And, in rehearsing these, what is left to the historian but to echo the words of Clay and Calhoun and Webster? With these events, the names of these illustrious orators are inseparably connected. Their fame is as broad and lasting as the effects of the measures which they advocated. They will live forever, because by them the destiny of a great nation was shaped, and the history of the epoch in which they lived, is their history.

But the success of these great men, the confidence which they inspired, the influence which they exerted, the eminence which they achieved, were due to no mere rhetorical attainments. They sprung from a profound knowledge of the subjects on which they spoke, a correct appreciation of the events by which they were surrounded, a deep insight into the means of promoting the prosperity of the people, or averting the dangers which threatened the nation. The basis of their oratory was statesmanship. Their fame rests not upon mere words, but upon the value of the lessons which they taught, the warnings which they gave, the policy which they advocated. The most eloquent advocate of the English bar has said: "A man cannot be a great advocate without being a great lawyer." It may, with equal truth, be said: A man cannot be a great orator without being a great statesman. Political science stands pre-eminent among the objects which claim the orator's attention. The importance of such a study may be readily appreciated by every one. To the orator, it is an indispensable necessity. As long as man shall continue to live in society, as laws shall be needed to preserve order among individuals, as the imperfection of human nature shall make the establishment and maintenance of governments necessary, so long will the study of the science of government in all its vast extent, be of interest to all. The time will never come, when it will be unimportant to the individual to know the rule that is to guide his conduct as a member of society, the relation that exists between him and the government, the bounds to which submission must reach, the limits which authority cannot overstep. The freedom and the happiness of each citizen depend upon a rational understanding of these matters. But the field which is to be explored by him who, not content to follow, aspires to lead, is of broader extent. From general principles, his mind must descend to their application in all the complication of their various details. He must not only be familiar with the causes and origin of governments, the sources of power, the relation between authority and obedience, the legitimate extent of law, the influences which give shape to governments and mould them into absolute, limited, despotic or constitutional; the degree of intelligence, refinement, civilization, which determine the course of a people in its progress from one to the other of these forms—his knowledge must extend from theories to facts, from the ideal to the practical.

His theatre of action is his own country. Her prosperity is his chief concern. Her own government, laws and institutions are, therefore, the first subjects of his meditations.

But it were vain to enumerate, even in a general manner, the studies which, in this connection, should occupy the attention of the orator. Our own constitution, its origin, the causes which led to its adoption; the character of the government established by it, whether national or federal, centralizing or sectional; its powers, their distribution, the checks imposed upon each; the efficacy or impotence of those checks; the limits fixed; the means by which the ambition of rulers is kept from encroaching on the governed,

and the folly or selfishness of individuals from enervating the government; the strength and weakness of the system; its means of self-protection; its germs of dissolution; the dangers which threaten its harmony; the remedy to check the disorganizing tendency; the changes which it has undergone, the vast unfolding of its powers, the development under it of the nation's resources, the march of its industry, the progress of its commerce, the policy which has marked its course, its system of revenue, its finances, its maxims of political economy, its tariffs, protections, prohibitions, their influence upon the people, their moral and political results, the history of the country which has grown great and prosperous under its principles—these, and more than these, would form but the outline of the vast territory which must be traversed by the orator, who would aspire to an honorable place in the councils of the state.

But the train of thought suggested by these reflections, would lead far beyond the limits of a discourse like the present, and it must be hastened to its close by a few brief remarks upon the duties of the orator.

If the influence which, in a country like ours, those who are gifted with eloquence are called upon to wield, is great, great also are the obligations which are imposed upon them. To himself the orator owes truth and honesty; to his clients, fidelity; to his country, his services in the cause of her prosperity and greatness. Time will allow me to speak only of the most important of these obligations—those which have been last mentioned. Until human nature is changed, and the love of power eradicated from the heart, the aspirations of men will ever be to lead rather than to follow. The honors, the offices of state, will never cease to allure the mind and awaken in the breast a natural ambition. Such is the rule of our nature—ever panting to rise above itself. Nor can that ambition, so long as its objects are legitimate, be pronounced reprehensible. It has existed from the beginning, and will cease only when our race has died away. No man need blush when he finds its emotions stirring in his breast, nor need the orator pause in confusion, when it is pointed at as the moving spring of his efforts. Without an earnest desire of success, there can be no orator; and the desire of success is ambition. With that success the individual is no doubt identified, for that principle of our being which makes us refer all our actions to self, cannot be altogether obliterated. Yet the desire of mere personal success, individual aggrandizement, cannot form the basis of a laudable ambition. It must have a nobler object, a broader pedestal.

The first duty of the popular orator, is to serve, not himself, but the people. To promote their interests is the first law of his actions, the aim of his exertions. Their prosperity, their welfare, their greatness, are the only legitimate objects of his ambition. It is only by identifying himself with them that he builds his own eminence upon a secure foundation. When he abandons them, when he forsakes them for mere selfish ends, when instead of leading he misleads, he is false to himself, false to his destiny, false to the powers

which nature has given him; and, however such a course may secure his own momentary triumph, his conduct cannot fail in the end to lead to most disastrous results.

In absolute governments, the influence of eloquence, whether good or bad, is but little felt. The state is governed by the will of one or a few men. But it is not so in republics. To venal orators was ascribed the fall of Athens. To venal orators may be traced the ruin of any state governed by popular rule. It is a poison which corrupts the very sources of power—the minds of the people. The stability of governments like ours depends not more upon the soundness of their organic laws, than upon the character of the citizens. The basis of republics is the republican spirit of the people. Constitutions may facilitate the workings of that spirit, but they can neither create, nor, when lost, restore it. Good laws may tend to preserve it, but they are not always effective to prevent its destruction.

A republic may flourish, notwithstanding a defective constitution. It may survive the shock of bad or improvident measures; it may override the obstacles of a pernicious policy; but it cannot outlive the demoralization of the people. It cannot outlast the loss of integrity and moral worth in the citizens, rectitude in judges, honesty in magistrates, purity in legislators. The first duty of those who would serve the republic, is to preserve in the people the only true basis upon which republics can be placed. A profound knowledge, and sincere devotion to the constitution, are much, but are not all. Constitutions, in themselves, can neither insure the prosperity, nor delay the ruin of a state. Let the framers of organic laws write them with all human ingenuity, and more than human wisdom; let them build them with the most perfect distribution of powers, the most ingenious system of checks and counter-checks; let them trace with the greatest precision the limits of each department, and set up barriers to their encroaching tendencies; let them impose penalties, forfeitures, impeachments, for a transgression of their provisions; let them define ever so wisely the corresponding rights and duties of the government and the citizens; in a word, let them do more and better, if possible, than the wise men who gave us our constitution—that alone cannot preserve or prolong the life of a republic. There is a part of the government which must, after all, rest upon that, over which human laws have no power—the conscience of those who compose it. Republics perish, not so much from external violence, or palpable violations of their constitutions, as from internal decay.

What guarantee can the constitution afford against the perverse choice of majorities, the corruptness of a judge, the venality of a legislator, the inaction of a magistrate? When these combine, who shall save the state? When the citizen shall live in habitual distrust of those who govern; when offices shall be sought, not as honorable distinctions, but means of speculation or individual gain; when party organizations shall be so complete and party obedience so implicit, that majorities will perpetuate themselves in power;

when the interests of the minority shall be habitually sacrificed; when the struggle for supremacy shall be a political struggle of life or death; when all compromise between conflicting interests shall be hopeless; when the government, in its blindness or perverseness, shall forget that the existence of republics is secured only by securing to each individual a field of independent labor and existence, and that nothing is more hostile to it, than the accumulation of vast capital and territory in the hands of the few; when individuals or corporations shall, by their wealth and the number of their retainers, decide the fate of elections and dictate laws for the promotion of their own interests; when bribery shall successfully rule the judge and the legislator—vain will it be then to appeal to the constitution. The constitution will survive, but the republic will be in ruins.

CHARITY.

In olden times a Saviour walked the earth,
 Who honored manhood even in his birth.
 From day to day he suffered jibes and jeers
 And sanctified the earth with God-like tears.
 Returning ever good for ill, he taught
 How heaven could by charity be bought ;
 How one poor drop of water given in love
 Would shine upon the giver's brow above ;
 How one short word in love and kindness spoken,
 That might perchance heal one sad heart near broken,
 Would turn to sweetest music in the skies
 And fill the choirs of heaven with ecstasies.
 But by the lapse of ages, hacked and hewn,
 With tottering states and many a rising new one,
 Men soon forgot the teachings of their God
 And preached instead a charity new-shod ;
 Until, in our enlightened days, the maid,
 To show herself, must e'en forsooth be paid,
 We'll find that, if with curious eye we grope,
 Her *devôté's* "the modern philanthrope."
 Sharp thought and indigestion make him lean,
 With glazing eye, pale cheeks and 'havior mean ;
 His clothes volum'nous flapping over limbs
 That strut in all the pride of tracts and hymns.
 Address him, and he sighs religiously :
 "The Indian cause improves prodigiously,
 "Twelve hundred bibles have been scattered abroad
 "To inculcate the teachings of the Lord ;
 "The savages devour them with all speed"—
 But ask him : "Rev'd Sir, do Indians read ?"
 "Ah well," he says, "you know we do our best,
 "And leave to Providence to do the rest.
 "He'll work a miracle, if there be need,
 "And teach the children of the woods to read."
 Now, let a beggar near our man of love,
 He looks upon him kindly as a dove ;
 He listens to his harrowing cries for bread ;
 He lays his meagre hand upon his head ;
 He vows he's sorry, swears his heart is racked.
 "Now turn to God, my man—*digest* this tract."
 And if, by any wondrous chance, he give
 Enough to let a tireless beggar live,
 If, in a generous spasm, strange to say,
 He send a marble angel or bouquet
 To deck the altar of some city church,

All find the giver out with little search.
 Or if a college he should e'er endow,
 "O, generous man!" cry all men here below.

Sometimes we find this being rather stout,
 With stomach well-proportioned round about ;
 His eyes, with pleasure beaming, seem to say :
 "By Jove! the contributions for the Indies pay."
 Him you must find at dinner, where he sits
 Beloved of gourmands and pursued by wits!
 'Tis there his generosity crops out
 Amidst champagne, good claret and rich stout.
 "Come, pass the bottle, gentlemen," he cries,
 "Let's drink, let's reap enjoyment as time flies."
 The viands eaten, he begins to smoke,
 A very Jove, wrapped in his cloudy cloak,
 In every cloudlet, wafted from his lips,
 In every sparkling goblet that he sips,
 He sees himself the centre of mankind,
 An Alexander—only more refined.
 That evening, may be, happy in his wealth,
 He lectures on the principles of health ;
 Or if to "temperance" he should more incline,
 He fortifies himself with generous wine,
 And then declaims, his face all red with ardor,
 Against "the fortress of the soul's bombardier."

But all things have an end, and so must he,
 This noble scion of philanthropy.
 The grave awaits him ; him without a cent
 The grave awaits beyond a life well spent.
 He cannot take his coffers with him now,
 And since the time is when he has to go,
 He makes a virtue of necessity,
 And lo ! is generous for eternity !
 But altho' dying, he is still the same ;
 He does it all for glory, all for fame—
 He leaves a portion to some minster grand
 And founds a college with his wealthy wand :
 Mayhap some poor-house and some sick asylum,
 Caught with a meagre sop, cease to revile him.
 But ne'er a piteous orphan had his fill
 Before this philanthrope had made his will.

We'd let him rest in peace within the grave,
 And hope his good deeds had the power to save,
 But yet another race has much to tell
 In charity—"the modern infidel."
 This man of reason, arguing from naught
 But innate principles and innate thought,
 Denies his fellow e'en one moment's life
 Beyond this struggling world's unequal strife.
 With him, the cause that fashioned the bright earth
 From whose existence all things have had birth,

Is too aristocratic to look down
 And find out whither mortal men have flown.
 If argued with, he bristles up forthwith,
 Exclaims: "Confound such superstition; s'death!
 My reason is sufficient guarantee
 There's no such thing as immortality."
 "But hold, dear sir," you say, "my reason, too,
 Convinces me that my belief is true,
 Nor do I base my reason on a station
 Of airy nothings, but on revelation."
 From this he'll enter into long discourses
 Upon the correlation of the forces—
 How mind and matter are the same "in se,"
 And how a soul is but a form of clay.
 And take him where you will, he'll always hate you
 Because he wishes to annihilate you.
 The secret of his charitable tenet,
 If he had honesty enough to own it,
 Is that he fears, if *he* had immortality
 He'd roast forever with the commonality.

O hollow world indeed thou wouldst have been,
 If men there were not to combat with sin,
 Who, ever mindful of the lessons pure
 Of Him who could a world's unkindness 'dure,
 Worked ever with the single constant aim
 To love all creatures as themselves the same.
 This love it was that fired the heart of saints,
 Who, touched with all the misery, the 'plaints
 Of wretched man, stepped some from kingly height
 Rejecting all the blandishments of might,
 To help their fellows in obscurity
 And reap their harvest in futurity.
 This love had once the holy Vincent de Paul,
 O'er whose bright memory happy roses fall,
 As prayer-enraptured sisters tell their beads,
 Or gently glide to charitable deeds.
 By day his king's chief counsellor of state,
 Of wise men wisest, and 'monst great men great.
 A people he could move with but a word;
 All men were silent when his thoughts were heard.
 And yet as from his modest lips there came
 The fate of nations and the breath of fame,
 His heart was burning with an untold love
 That pride or honor never could remove.
 While yet the streets of Paris, cold and grey,
 Were hardly lighted with the sun's first ray,
 And vice had skulked in corners from the sight
 Of Heaven's coming daughter—lovely light—
 He could be ever seen, with straining eye
 And listening ear, to catch the first faint cry

Of helpless childhood, left to perish there,
 By her who owed it all a mother's care.
 But, noble saint, thy spirit still survives ;
 In every convent, every cell it lives ;
 Thy daughters labor with the same fond zeal,
 Their hearts the same unquenched compassion feel.
 Then say not charity has fled to Heaven
 When such bright angels to the earth are given,

Why sweeps the vulture with dull-flapping wing
 O'er yonder dark and death-like grove ? Why ring
 Such piercing shrieks upon the startled air ?
 Alas ! they tell that war has lingered there
 To make a bloody sacrifice to fame,
 To blazon with its gore an empty name.
 From out the echoing woods, a cavalcade
 Moves sorrowfully slow : no proud parade,
 No martial music there the soul to feed
 With palpitating joy ; the drooping steed
 That bore a gallant warrior 'mid the fray,
 Walks lonely by the bier, as if the clay
 That kissed his master's fall received the fire
 That spurred him once amid the battle's ire.
 But woman mingles in the mournful crowd,
 Like light that gilds the edge of some dark cloud—
 That spiritual presence spread around,
 That low, sweet accent, soul-entrancing sound,
 And more than all, that peaceful, heavenly eye,
 Proclaim at once a Sister of Charity.
 On her the loving gaze of wounded men
 Is ever turned : the heavens, the sun, the glen,
 Are all unnoticed in the calm delight
 They feel in gazing on that rapturous sight.
 As some lost mariner, when stormy winds
 Sport with his straining bark, and dread night finds
 The helm shattered, looks aloft and sees,
 Bright 'midst the gloom, the loved star of the seas,
 So does the wounded brave drink peace profound
 And comfort from the halo shed around
 Her bright young face—e'er happier near the pall
 Or death-bed than within the glaring hall
 Of fashion. Pain no more exerts its pang—
 Her presence e'en, as when young David sang
 In accents sweet to raging Saul, has stilled
 The sufferer's sharp agony, and filled
 His breast with peace : she soothes the burning brow
 And calls back wandering sense ; then bending low,
 She whispers of a God, made man to free
 His well-beloved earth from slavery—
 To die for man ; and he who had before
 Been steeped in crime and knew not to adore,
 Yields to the gentle sway of woman's power,

And learns to love his God in death's dark hour.
 Her own sweet voice, like summer's murmuring streams,
 Reflects the gold of heaven's life-giving beams.
 Her deep blue eyes are filled with pitying tears,
 Her lovely face a shade of sorrow wears,
 Her heaving bosom tells the grief within,
 Where'er she sees the tyranny of sin
 O'er some poor soul whose early peace was crushed—
 Whose saving monitor perhaps was hushed
 In youth, when vice puts on its best attire,
 To fascinate the heart with vague desire.
 But e'er she leaves that soul, a heavenly calm
 Has filled its arid depths with soothing balm.
 She hangs, an angel, o'er the soldier's cot,
 When fever-tossed he dreams of battles hot.
 The magic of her touch will change the scene
 From war's confusion to the peaceful green,
 Where home's delights will deaden all his pain,
 And lead him back to health and strength again ;
 Or if, perchance, 'tis God's all-holy will,
 To call the pain-racked soul from earth, to still
 The troublous beating of his doubting breast,
 Her prayers will scatter o'er the path to rest
 Sweet roses, and will lead the soul to God,
 And save it from a just-avenging rod.

O what a noble love is thine, thou pure
 And beauteous sister ! Impotent to lure
 Thy onward footsteps from God's holy call
 Were earth's bright charms, and power, dominion, all,
 In thy eyes paled and lost their glittering sheen,
 When Faith's bright star streamed lustrous o'er the scene.
 Mayhap a throne thy gentle foot has pressed,
 Thy queenly form in priceless raiment dressed ;
 Ten thousand warriors gathered 'neath thy hand,
 Ten thousand swords flashed out at thy command.
 To do, to suffer, thou did'st take thy way—
 Nor kings' nor princes' power thy course could stay.
 Brighter to thee was golden mercy's dream
 Than all the splendor of a rule supreme ;
 A sister's mission, lowly though it be,
 More true sublimity possessed for thee
 Than all the power to carve a nation's fate,
 To sway a people or control a state.

Thus, through the ages of increasing time,
 Throughout the space of every earthly clime,
 The Church has scattered broad her seeds of love,
 To ripe and blossom in the realms above,
 A heaven-descended angel she, in peace,
 Who carries here from bondage to release.

In war, she hovers o'er mortality,
Like one bright sunbeam o'er an angry sea.
May strife and discord 'mongst the nations cea
May concord and one universal peace,
Descending o'er us like white-winged dove
Beget in all a pure and constant love.

Popular Use and Benefits of Standard Phonography.

A LECTURE

— BY —

Charles A. Sumner,

(Reporter for the County Courts of San Francisco.)

WITH

AN APPENDIX.

“I will have my son taught Short-hand ; I do not mean in that perfection to copy a speech from the mouth of a ready speaker, but to be able to write it readily for his own private business. Believe me, sir, it is as useful a knack as any man of business or scholar can be master of. I have found the want of it myself, and seen the advantages of it in others frequently.”—*Gen. Wm. Molyneux, F. R. S., to John Locke, 1693.*

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Popular Use and Benefits of Standard Phonography.

LECTURE

BY

CHARLES A. SUMNER.

Delivered in Dashaway Hall, San Francisco,

DECEMBER 1st, 1872.

[INTRODUCTORY NOTE.—My former lecture, on Short-hand and Reporting was prepared and delivered with no thought of publication; and when it was placed in print I did not expect a general circulation, outside of the city of San Francisco. If I had had any such anticipations, I might then have apologized for the amount of strictly local matter which occupied the pages. But now, when I am about to issue a second lecture, I discover that this fault, in a document directly intended for distribution in distant States, as well as in California, exists here and is more grievous than before! I must bring in one excuse: On account of the unusual prominence the study of Phonography has gained in San Francisco it is presumed that home words and allusions will be tolerated, if not welcomed, elsewhere. In our community we have a special right to preach and personally illustrate immediate benefits and probable contrasting conditions resulting from the acquisition of the corresponding style of the Art.]

Mr. E. T. Batturs, President of the Dashaway Association, introduced the Lecturer of the evening.

MR. SUMNER said:

Mr. President and Ladies and Gentlemen:—

I might, perhaps, term this a congratulatory address. For, surely, I am bound to express here and now my gratitude and delight on account of the successful introduction of the study of STANDARD PHONOGRAPHY in the public schools of San Francisco. The "innovation" on the regular and immemorial list is no longer an experiment; for we have the practical test and approval, declared by our own teachers and pupils. I am personally rejoiced, but I claim the right and title for public and common congratulations. We may be glad: pleased by the recollections of the fact that in this instance there has been the united voice of the local press, and a unanimous vote of the Board of Education in favor of regular and systematic instruction in the perfected Art of Short-hand. Pleased, also, to remember that, at the proper moment, the accomplished and energetic in-

structor was at hand, ready to enter on the new and beneficent service. And it would be sheer affectation if we did not now, with pardonable pride, recall the fact to mind, that in this place the study was urged and applauded a few weeks prior to the official consideration and sanction which our Board of Education has given. [Appendix A.]

Amid general consent and approbation—at least, with no publicly announced exception to the introduction of this study, taken by any worthy, or unprejudiced, or disinterested citizen—I confess that there does not, at first thought, appear to be any need or justification for a second lecture from me on the topic of the evening. And some might be excused for asking: "Why not select another subject—one less likely to require didactic dryness in its treatment—and reserve your new extension on this theme for a class-room, or a normal school hall, or a teachers' institute assembly?" I wish you to know, at the outset, that I have considered this very natural inquiry, and that, after honest meditation, for reasons which will be in part indicated by what I am hereafter to say, I have determined to brave your indulgence with this second and closing discourse.

And one general word of preface. You do not expect the most enlivening portion of the evening's programme at the commencement, or during the first half of the allotted time. There should be a contrast. Even if, from the character of the lectures, you become exceedingly thirsty for the moistening melody of music, you will not complain of the lecturer when the hour for refreshments arrives—provided he has been sufficiently prudent not to have pushed your endurance to the verge of a parching appetite. I will try and be reasonable, while I confidently depend upon your good nature. [Appendix B.]

I say directly: It is proper to emphasize a good word and work to-night. And where the movement was inaugurated, let some formal ratification at this juncture be pronounced. Now is the time for fuller explanation and closer popular assurance. That explanation is with respect to a system, a method; that assurance is concerning advantages, which may be claimed, to every school boy and girl in the city

of San Francisco from a practical knowledge of the best Short-hand.

You have heard that after many centuries, in which there have been occasional, fitful, but always inconsistent and unsatisfactory efforts to devise a manual of short-hand, adequate to the *verbalim* reporting of the most rapid public speech, a successful result has been achieved in a philosophical manner. Stenography has given place to Steno-phonography—to STANDARD PHONOGRAPHY. Authors of previous systems—during three hundred years before the days of Isaac Pitman, of Bath, England—did not lack general intelligence, or even, in some instances, the highest character of culture fitting them for their attempts. I believe it may be said with truth, that prior to the present century few utterly incapable men published a system of Short-hand, as original or improved. It remained, perhaps, for the present generation to witness the at-once villainous and ludicrous impositions to which in my first lecture I more particularly alluded. It does not stand to reason, my friends, that men who, if they had any prominence in society, would be distinguished for their ignorance of everything but the very simplest elements of schooling, should be the authors and inventors of superior modes of Short-hand expression? Ordinarily, men are inventors and manufacturers in the line of their discipline and within the scope of their educated abilities. And there is no exception here to this general and unimpeachable rule.

A man, by nature, by superior advantages, by most assiduous application—amounting to almost ascetic devotion to his preliminary and adapted, and to his ultimate special study—fitted, consecrated for this invention and its text-book utterance, is found in the biography of Andrew J. Graham. And I rejoice to-night, as a thankful son in the Art he fashioned, that while the courts of the United States are vindicating his copy-right against a horde of literary pirates, the city of San Francisco, by and through the order of the governors of its educational department, is teaching the little children his wonderful choice and arrangement of phonographic signs and symbols. It may seem to you extravagant, but I am zealous to declare that no final triumph of a true, original inventor in this country is more worthy of our especial notice, as a victory of justice, than will be the approaching, unquestioned verdict, from all our courts and pupils, in behalf of this patient and devoted scholar; whose enduring monument is already built by his own hands in the form of an original, educating Short-hand literature.

I have only one special contrast to make. Purely imitative styles approximate to the standard in the facility they offer for rapid record. But one method which, perhaps, is in no legal sense "imitative" demands a pointed notice, since it is taught in a private academy in this city, and considerable merit is in some quarters honestly but very mistakenly asserted for it. I refer to what is termed "Tachygraphy." I can give you, in two or three sentences, its actual and relative value, from authorities that ought not to be disputed.

As you are probably aware, the average rate of public speaking is from one hundred and

twenty to one hundred and thirty or one hundred and forty words per minute. The average speed of long-hand writing—there being a large margin between the rate attained by elegant penmen—is twenty-five words per minute. The reverend author of "*Tachygraphy*" only claims in the preface to his manual, that by his system, as there laid down, eighty words per minute can be written by the expert. And I quote his own words to the Rev. Wm. B. Bridge: "I admit that phonography is superior to my system; I got up my style to make money." By virtue of his ecclesiastical relations, his kinship in the great brotherhood of reverends, the author has undoubtedly made money out of his toy-style of short-hand.

From his moral flavor, as just imparted, you may legitimately draw a conclusion as to the validity and virtue of his promises for "special lessons." While his text-book only professes—(here he had to exhibit some veracity)—to teach a so-called "lineal writing" that would permit a speed of eighty words per minute, he tells the reader that by mail he will administer in due series a dose of lessons in a note-taking or easy-reporting style—for \$75 00! This Rev. Humbug, residing near a school of the prophets which is famed throughout the land, has probably betrayed as many innocent people as any of his independent companions in guilt. He advertises his instruction as exceedingly gentle in its demand upon the time and the brain of the student; and it is intimated that hundreds, who have found it impossible to master the corresponding style of standard short-hand, have slid into the full possession of his alleged equally competent method, with hardly more than the force of indolent instinct. Indeed—that I may not seem to exaggerate; and to give one of the strongest supports—let me state: The editor of a paper called the *North Pole Methodist*, [or some such title,] declares in substance, that while he retired in disorder from successive and desperate attempts to learn Pitman's phonography, his hand with apparent unconsciousness caught the skill of *Tachygraphy*, and now runs on writing religious editorial truth in that style of short-hand—and will so run on forever.

The best system of short-hand—the system now used by nine-tenths of the practical reporters in the United States—is being taught in our public schools. Why say anything more about it here? Let me interpret.

One of my hearers might exclaim: "It's nothing strange because a protest was not filed against the introduction of this study, even though hundreds and thousands of our citizens disliked the innovation. I myself did not object in a loud tone of voice, although I have questioned in my mind and do at this moment doubt the utility of the instruction. Well enough, perhaps, as an optional or voluntary study in our higher schools or our private seminaries. But, what is the use of teaching all children in our lower grade schools to write phonetic short-hand? You don't expect they will all become reporters, do you?" I hasten first of all, to directly answer this last supposed interrogatory: No! Proud as I am of my profession, there is a sense in which I may be permitted decently

to exclaim, I wish your children a better fate. Although in our places some of them are yet to enjoy, I hope, more congenial labor, more appreciative consideration, and a larger income! It is not probable that more than one out of twenty-five, or perhaps forty, of our public school children, who will live to maturity, will become professionally devoted to our Art in its most responsible positions. The country is not about to be deluged with short-hand reporters, graduated from the public schools of San Francisco. [Appendix C.]

Now, after this admission, you may be inclined to repeat and intone the question as to the general utility of the study. With great weight in the balance, as I think you will see and confess, by and by, I might retort by asking you: What is the benefit or utility of teaching all our children the musical gamut? What is the general utility of learning them to sketch scenes of nature? And to bring about the rejoinder in clear and decided emphasis, let me state the proposition, and indicate the limit of the oral instruction. Its characteristics in minor detail, and its incidental advantages, we may not be able at present to fully enunciate; but accept an outline. Phonetic short-hand is composed of the simplest geometrical signs. Perpendicular, oblique, horizontal, curved lines, of given dimensions, light and heavy, represent the consonants of the language. The vowels are expressed by dots and dashes in certain positions. The consonant frame-work is rendered more comprehensive and concentrating by the use of hooks at either end of the lines, and by what is known as the halving principle—the one-half of a full length character indicating one of two succeeding consonants. All the principles of this Art are represented on the chart I now hold up before you—every one of them. In what is known as the corresponding style of STANDARD PHONOGRAPHY, nearly all the sounds are fully expressed; only one hundred and fifty-six word-signs being commonly employed. By means of this corresponding style, a person may readily write from eighty to one hundred words per minute; or about four times the average speed of long-hand writing. Such familiarity with phonographic outlines as inevitably follows from a thorough knowledge of the corresponding style, as taught by such a teacher as the one now engaged by our Board of Education, will enable the student to read phonography written in a still more abbreviated form, or at the rate of one hundred and ten words per minute. Now, within one year, and without interfering in the slightest with progress in any other prescribed study—but having a tendency always to aid in the acquisition of the ordinary branches of learning—your children will acquire the mastery of the corresponding style of STANDARD PHONOGRAPHY. I am far within the possibilities; I have given a broad margin to that which experience and observation have demonstrated.

Of what use is this? I will consider the practical, business benefits;—in them you must all be interested. I will allude to peculiarities of mental discipline; and set aside some misapprehensions which exist under this head. [Appendix B.]

Not to raise combative thought where uni-

form acquiescence or at least good will may exist, but to bring the profit of the study up still more sharply, I will ask: What is the use of learning children to write at all? They must learn to write long-hand. It is disgraceful for any native-born adult, to be obliged to admit that he or she can not write. They must learn to write—why? To communicate with their fellow-beings by a system of signs set down on paper. That answer embraces the exclusively practical matter. Very little use for them to write books or keep a diary, if they were isolated for all time from their fellow-human beings. Business activities, social pleasures and, derivatively, solitary personal enjoyment, largely depend upon the capacity to write a legible long-hand. A child is sent out from school able to write a handsome hand at the rate of thirty words a minute: suppose the boy or the girl can also write, by a method entirely and lastingly legible, one hundred words per minute? What follows? In employment, in every clerical position, there is at once an acquired preference. Take the present generation of pupils—the boys and girls that are within the next four or five years to step into the fields of active labor at a graduating age of from seventeen to twenty-one. Within the past year, some thirty or forty young men in this city have obtained lucrative situations in quarters where they had before failed in their application, by virtue of proficiency in the corresponding style of phonography, acquired within this interval of time by their own unaided exertions. The demand among merchants and business men of every description for amanuenses, capable of taking a dictation at the minimum rate I have named, is rapidly rising, and far exceeds the supply in every city of the Union. A knowledge of this Art, connected with facility as an accountant, perfects the counting house clerk of the period.

But at this point I draw your attention to the especial advantage obtained in this very manner by those who design, ultimately, to acquire a reporting speed and adopt short-hand reporting as a profession. Beyond the instruction and power within the “corresponding style,” extends the field of *verbatim* reporting-knowledge and capacity. New rules of contraction and *indication* are exhibited and applied in this advanced division of the Art, (and the only system that furnishes a dictionary of every form is the one we have recommended.) The great thing needed from the border line of the corresponding style, on to reportorial competency, is PRACTICE. By the very dictations in the counting-room, in the manufacturer’s office, at the superintendent’s station, in the minister’s study, in the editorial sanctum, in the lawyer’s den, the amanuensis is earning a handsome livelihood at the present moment, and fitting himself for the most exacting service and highest compensation in the reportorial profession. If there can be shown an economy in time and labor more precise and gratifying than is experienced here, I will relinquish my claim and task of eulogy. Far more instruction and discipline is required before the pupils in music and drawing can turn about and assume the place of primary teachers; and their service begets no necessary personal

advance, but is for the most part, in every instance simply of individual benefit, by fastening in mind and facility of manipulation that which has been already gained.

There is a large opportunity proffered to our girls for an independent livelihood from this study. In Great Britain the conductors of the Postal Telegraph—a system which I hope will be introduced by our government before many months have passed, in spite of the most grasping and extortionate organized swindles on earth: the Western Union Telegraph Company and the Associated Press—employ a great number of young ladies as amanuenses, who receive dictations at the rate of not less than eighty words per minute—that being the minimum of professional speed in the Corresponding Style of Isaac Pitman's and of the Standard Phonography. And by this accomplishment they double the value of the services they could, as attendants in a telegraph office, render to their employers. There are at least seven "official reporter" positions in the United States which are acceptably filled by young ladies. With several of these incumbents I have recently had the pleasure of holding a correspondence, and their neat writing of Standard Phonography has placed a new charm on the Art, even to my ancient vision. The very accomplished amanuensis to whom I referred in the appendix to my first lecture earned over one hundred dollars a week, at Sacramento, during the last session of our Legislature, by reason of her remarkable proficiency in the Art.

With respect to this accomplishment, all that is claimed for it through the aid of an amanuensis, in the business dispatch of life, comes forth with increase as a recommendation for personal use. For himself, and of his own hand, the merchant, trader, superintendent and professional man will reap good in proportion as he is acquainted with the Art. In their turn the penmen will take positions as masters in business, and by their more intelligent, immediate and employed, use of short-hand will enhance that benefit which they inaugurated for their predecessors.

Beyond these exclusively material considerations, there are other equal, if not superior, points of advantage to be named in the personal estimate.

Regard the character of the discipline simply as a matter of penmanship. Lord Bacon said—speaking of course with reference to composition—that writing made an exact man. Both in the mechanical and mental translation of such a text we have a definition by Standard Phonography. Mechanically, because there are no flourishes in short-hand. Though each writer has noticeable and distinguishing peculiarities, yet the rule for size, relation and position is inflexible. Varieties which you can recognize as belonging to particular individuals oftentimes defy description, except you take a page or paragraph, or at least a full and lengthy sentence. Nothing more absolutely tends to make the scholar exact, accurate.

It has sometimes been asserted—a gratuitous inference, and never claimed as the result of experience—that *verbatim* short-hand reporting has a tendency to impair the force or minuteness of

that faculty, or group of faculties, which is denominated memory—speaking, of course, with reference to memory of words read or heard. It has been said that the mind will acquire the habit of relying upon the written page. This is wholly incorrect. There are spaces in the long consecutive hours of reporting when the attention of the writer may not be devoted to the signification of the speech or testimony he is recording. This is a mental vacation, to which I have elsewhere referred.

But phonography, or the business of taking notes by it, constitutes a powerful discipline of memory. In the very process of selecting the forms to represent the articulations of the speaker you will, on reflection, perceive a heavy tax upon the endowment or the improved possession of memory. As the combination of words in sentences is infinite, and as the masterful use of reporting in phonography depends in great degree upon the quickness of choice as well as execution of phraseograms—that is, the writing of two, three, four, five or six words without lifting the pen—it is difficult to conceive a severer strain upon the writer's recollection. And in the reading of notes of testimony the ready facility of the accomplished reporter—especially when the notes to be translated are of distant date—is witness to his discipline of memory by means of this Art. It is true that a reporter may have more or less of clear consecutive transcript in his mind, according as circumstances of physical condition or personal interest vary in different cases. Leading up from the simplest forms to the nicest combinations there is a growing demand for the cultivation of the memory. And although I leave this section of my discourse with a renewed feeling of regret, because time will not permit illustrations, I think sufficient has been said to fairly introduce a statement in regard to the value of an exact recollection of human speech.

There is no class of testimony which is to-day, as a rule, so unreliable, from infirmity of memory, as evidence concerning conversations. Persons will describe localities and actions with a clear and precise and agreeing, unimpeachable series of answers. But when the question is: "What did John Doe say on such an occasion?" Richard Roe is unable to give even an outline reply. Except there be a money transaction involved, to sharpen the faculty and give it aid from following actions and written records, the witness is often doubtful even as to the substance of what was said at a particular and important juncture.

And notice—to meet an objection that may be raised:—a healthy and powerful memory is not burdened because it retains, on call, an enormous amount of literal speech; and most men have the power of discarding from present contemplation conversations, discourses and readings not pertinent or pleasant for the moment. Here is a discipline right to the very point of a national deficiency—so to speak—a characteristic lacking in American minds. Not, indeed, alone to make men better witnesses in a court of justice, but equipped and perfect in the individual tribunal of business, is the plea under this subdivision. [Appendix E.]

But with respect to all thought and a mode of

recording it, I undertake to commend this Art to every man's conscience for his children's sake. And while I am sure that within the next ten years, in this country, the preliminary enquiry of the wholesale and importing merchant to the applicant for a clerkship in the counting house will frequently be: "Do you understand phonography and telegraphy?" the argument for the introduction and maintenance of the study has a far higher, and if you please, a yet more practical basis. This is one of the systems that comports with the spirit of the age, and is essential not only to the easier condition of labor which ought to obtain, but to the superior average mental culture and utterance. Let us suppose this to be challenged as too strong a claim on behalf of the Art. I say that traveling by steam, and dispatching messages by electricity, and painting pictures by the flash of the sun, and sewing by machinery, are supplemented by popular and universal use of a good system of short-hand—and of Standard Phonography, because that is the best short-hand. Let us see if this boast for phonographic "skilled labor" will abide the test?

I re-state the fact that the average speed attained in the writing of ordinary long-hand is twenty-five words a minute. Now, what shall we take as the average speed in the elaboration of human thought? We may say that the Almighty has endowed mankind with organs of speech adequate to the power of brain to manufacture ideas. Indeed, we all know as a rule, (in *our* sex at least,) there is too much tongue for the brain. But this is a genuine standard for the proposed measurement. No man whose utterances we recognize as bearing the uniform stamp of good sense and relevancy has complained to us that he cannot talk fast enough. And we will take the rule in conversation, where, without so appearing, speech is most fluent, and where it rarely fails, in the dialogue, to edify or entertain. The speed on such occasions will average two hundred words per minute. This is eight times the average rate of long-hand writing. This is a rate of speed certain to be acquired by the persevering and persistent student of Standard Phonography; unless he is below what is termed medium ability.

But, you say: in the preparation of thought for public perusal and consideration, the author or editor cannot give out rapidly from his mind sterling reflections, suggestions and appeals. Long-hand proficiency is declared to be sufficient for these things. Creatures of habit, we reason from the stereotyped past. So thought Frank Ives Scudamore; the man whose genius and indomitable perseverance has been illustrated in the history of the British Postal Telegraph. Even after he had brought into requisition the aid of the Phonographer, he had a "queer" and distrustful experience in the license of dictating. But his present words of commendation are most emphatic. [Appendix F.]

I will take up different callings. And though I could summon direct testimony by the folio, it is better perhaps to propound first to the general inference and judgment of every person present.

What is the method, the process of business reasoning, or practical or professional thought?

The merchant carries about in his mind details of business plans; suggestions as to new purchases; comparisons of market prices, etc. When the time for correspondence has come, his conclusions are made up. He can speak to his distant partner or agent or consignee with the freedom of conversation, if he have the facility of so doing. Where postal telegraphy has been adopted, the merchant appoints a particular hour or quarter of an hour for the use of one of the wires leading from the city of his residence to the ports or towns with which his chief correspondence is conducted. As fast as the telegraph operator can spell out his sentences—fifty words per minute, sometimes—he gives or receives his orders. OR, he dictates his correspondence to a clerk who takes it down in short-hand, and when the letters are completed punches the strips for the automatic telegraph. These strips are rolled up, and at the time appointed are taken to the station—(if the counting house has no branch connection—in which event the dispatch by telegraph may be immediate;) and at the telegraph station the roll is passed through the automatic sender at the rate of perhaps five hundred words per minute. A clerk in the office of the merchant receiving the dispatch—or the merchant himself—reads the messages. They may be there written out in long-hand and recorded in a book. Now consider, with reference to the credit for our Art alone, "What time has that merchant saved?" And consider further, the probabilities against errors of omission in his communications, as compared with such probabilities when cramped in his correspondence to twenty-five or thirty words per minute.

I hold in my hand a business letter, written in the advanced corresponding style of phonography, occupying not more than one-half of the space that could have been used; written with no thought of its exhibition as a specimen; written by the author of Standard Phonography himself. It is entirely legible to any phonographer. There are about eight hundred words on those two pages. There could easily have been 2,000 words written in the same style on the same half-sheet. But there are eight hundred words, and over. In ordinary long-hand there would have been eight or ten pages required for every page of this manuscript. Three or four times the postage—an incidental item. I dictated the contents of that note to an expert long-hand writer within the past week, and it required twenty-one minutes for the transcription. That was undoubtedly originally written within five minutes. I can dictate the contents to one of my short-hand amanuenses in four minutes. It is not probable that there are a dozen boys or girls now taking instructions in our public schools in this Art who within the next year will not be able to read that copy as rapidly as I can, or make a fair transcription within ten minutes.

Is this sufficiently practical?

But here is the lawyer. He is collecting authorities, and laying out his ground for an elaborate printed argument or brief. He has devoted days to the reading and selection of his supporting cases. You have seen his table, with a semicircular array of his strongest vol-

umes; besides a score of tomes; perhaps, on the shelves ticketed for this effort. Now, he has gathered his forces and is to proceed with the work of placing the authorities in new argumentative juxtapositions;—with a rising inflection towards the clearest cases—the authorities “on all-fours.” And he is to make an accompanying or following original argument or demonstration. His memory is full; his index is complete. Now comes *drudgery*. And perhaps he has even cut off the allowance of time for the examination of his library, because he knows that there are only so many hours remaining for the tedious writing. Suppose he could set down his thoughts now at the rate of one hundred words per minute, and deliver them to a secretary for immediate transcription. I will dismiss from this plea the purely personal saving of labor, and ask any man of common sense to judge of the relative quality of the production: the one in the old, almost illegible scrawl, at the rate of twenty-five words per minute; the other in the beautiful stringlets of Standard Phonography, fashioned at not less than one hundred words per minute. Will not that which is to-day a task of four hours, be supplanted by the cheerful, healthful application of an hour? And instead of a loss of cogency, will there not be both a freshness and fullness and judicious vehemence, impossible for a uniform and consistent characteristic under the old condition first supposed?

I am not summoning your judgment on a naked case. There is many a young lawyer in this country, rising rapidly to fame, a grand secret of whose unvarying perspicuity and appropriate emphasis—as well as exhaustive collation and analysis of authorities—consists in the possession of this identical Art. Why should not every young lawyer from 1874, in San Francisco, obtain and exercise this glorious leverage? I have been told that every Irish barrister is expected to possess short-hand facilities equal to the amanuensis standard.

Once before I spoke of this boon for the clergyman. And I say again, a boon for him above all others; and, a great blessing for his congregation. He must prepare, if he is an Episcopal minister, a thirty minutes discourse; if a Congregational minister, a sermon of forty-five minutes; if a Presbyterian minister, an hour of exegetical and doctrinal composition; if a preacher to our colored brethren, a persuasive appeal of from two and a half to three hours. These we may suppose to be regularly required, in double doses, for each week. And, sometimes, Wednesday and Thursday evening lectures. Often, when they will agree to it, there is a demand for various literary performances. The thirty minute discourse will probably have four thousand words in it. In long-hand the time required for the making of the manuscript would be between five and six hours. In such cases the work of composition is, Selecting text and sitting down to compose (no reference to clergymen who borrow their sermons). Written with expedition from a prepared and full mind—as in the case supposed for the lawyer—at least five or six hours would be required in the mere work of writing. And this for two sermons of only thirty minutes time; the others to be in

proportion. So, it is a confessed fact, that in the aggregate the working hours of at least three days will be devoted at the desk for the sermon. Require for the labor on the manuscript—the pulpit manuscript—only one or two hours, and you have the whole margin of leisure for reflection, and for parochial work. I supplement the appeal to your judgment by facts within my personal knowledge. I once taught phonography in a theological seminary, to a very intelligent class; though I might have expected and obtained more rapid progress from younger pupils. There were twenty-nine members of that class. Six have since died, but I have a continued correspondence with four, and have received a full report from fifteen. So far as heard from, they all made use of the system in which I instructed them; and they are even enthusiastic in their expressions of gratitude to me for a service for which at the time I considered myself well paid in Old Dominion bank bills. One of those students, now the rector of one of the largest and richest parishes in the United States, recently wrote to me as follows: “I cannot conceive how it would have been possible for me to have undertaken and acceptably discharged the great work that has been committed to my hands in this diocese, if it had not been for the aid I have derived from phonography. I often think of my incredulity and inclination to feel amused at your expense, when you first urged me to join your class in short-hand. I thought you was a very zealous chap, and I confess to you now, that I yielded to your proposition and importunities as much in a spirit of amiable and rather patronizing complacency as from any expectation or conjecture respecting personal advantage to myself from the study. Thanks, and blessings upon you—in that you pulled me in as one of your phonographic students!”

And right here belongs another remark. Our clergymen do not, as a rule, enjoy very good health. They have, as elsewhere intimated, a classified set of diseases; bronchitis and dyspepsia of various type and severity. Many of them are pampered in their appetites by the refreshments set forth at tea-fights, where their presence and eating is regularly expected. Yet, as a class, they are not high livers. Without going into detailed comparisons, which are always odious—as for instance, between the deleterious effects of hot biscuit and richly sugared preserves on the one hand, as clerical diet, and old brandy and shrimp-salad as a high-toned, worldly, professional, Pacific Club lunch, on the other—I put it as a part of my sermon, that the work to be immediately and indirectly saved to clergymen by the use of this short-hand is an unnecessary tax upon that time which might and should be devoted to open air exercise and recreation; from the combating and recuperating healthfulness of which there would be strength to endure the minister's supper table at the hospitable mansion of his lady parishioners. This is practical; and I hope it may not be stigmatized as carnal. [Appendix F.]

I have frequently been called upon to accompany consulting physicians when they went to diagnose chronic diseases. They were enabled

to quickly dictate for record a full and complete description of the patient, within the ordinary calling time; and in one instance by such a dictation from Dr. David Wooster, in a very important case, a concurrent opinion was separately obtained from a baker's dozen of doctors. Without announcing his judgment as to the character of the disease, the Doctor rapidly daguerreotyped the appearance and symptoms of the man. Returning to his office, he stated to me what his conviction was as to the ailment, and the appropriate remedies or ameliorating applications, and the probabilities of recovery. I transcribed the picture of the patient. And on independent examination of the text, thirteen other leading physicians rendered the same verdict as that pronounced in the case by the original inspector. For once—and probably because there was no personal contact—I know that doctors did agree. With a single exception, they gave it as their opinion that the patient would die within a month. He lived twenty-seven days from the date of diagnosis. Now, this is to the credit both of phonography and the medical profession. And it explains a mystery—heretofore so-called. It shows there is something positive and reliable in the educated observation and judgment of medical men; a fact of which mankind, in all civilized communities, has been rapidly becoming utterly sceptical. I arrest the undesired impression this night; and I adjure you to call no more doctors' councils by the bedside of the invalid. Let the family doctor have his amanuensis, or learn this Art himself, and without consuming any more time than he now spends in the house of affliction, he may vindicate his treatment, or by an impersonal appeal solicit and secure a candid and unprejudiced consultation from among the members of his profession.

But we have been dealing with professions that have more or less of routine—a rut, a groove—repetitions in form, and repeated efforts for the same purpose, the same material result. I think we shall find the greater illustration and recommendation with the editor and the author; although our suggestions hence may send back a new and better force upon that which has already been uttered. The editor has his topics, for the most part, selected or indicated by the events of the day; and yet he largely, and the author altogether, may be said to depend, to rely upon his inspiration. [Appendix G.] I have thought it impossible that editors should fail to recognize the value of phonography to them; but the strange statement is to be made, that American editors have been the only avowed and influential opponents of this study as a branch of common school education. Congratulations again; because we have no specimens of opposition from such a source in San Francisco. The principal office editors of the leading British journals, I think without exception, invoke the aid of short-hand amanuenses, or write these characters for themselves.

Imagine, as you readily can, what a saving of time and of toil, and what a positive contribution to vigor and precision is here. How much of the exhausting labor which is autobiographically indexed in Horace Greeley's "Recollections of a Busy Life" might have been saved,

had it been his good fortune to have learned a system of short-hand in his earlier years. More than this. What a saving there would have been to the patience, and perhaps the purse, of many a poor victim printer, if the great editor had been self-educated in such an art. With an appointed copyist, the manuscript checked as from his pen might have been the favorite take from the composing room. What a contrast is here suggested, my countrymen. [Appendix H.]

And here, not quite as a parenthesis, I should remark: Multitudes who write the most execrable long-hand attain an unusual elegance of style in phonography. Men who are tormented with the reluctant expression of ordinary writing, and who, perhaps, on this account, have not the patience requisite for the making of fair long-hand copy, become satisfied with their celerity of writing in phonography, and superadd to the absolutely necessary accuracy of outline a general grace of fashion and form—their pages of excellent thought appearing not only legible but lovely! [I could intrude some egotism in this paragraph. I might boast of ability to write a handsome phonographic hand; and there are very few printers in the city who would not be willing to swear as to the contrasting character of my Roman text.] [Appendix I.]

The editor is overworked from *hurry* rather than from an aggregate of heavy burdens. Give him phonography, (by another, or for himself,) and his hours are abundant. With this new method of dispatch he will not have the goading, torturing agonies of *haste*. [Appendix J.] And as to the quality of his re-statement of fact, and his comment thereon, or of his own original proposition or essay, he comes into twin association with the *AUTHOR*, of whom I propose now to particularly speak.

How well I understand the sentiments of some good friends, who will now settle back in their seats fully prepared to take this last chapter in my little book, to-night, with pleasant faces but unsympathetic hearts—with a door-shutting proverb at the threshold of the mind, and a suggestive motion of the head, hardly restrained from exhibition in open concert! "Of making books there is no end." "In mercy's name would you render it easier for scribblers to bring forth and impose their conceits upon the world?" You will say that there is too much so-called "literary-writing" at present. Yes, of the average kind there is too much published. I am going to agree with you—with particulars and an emphasis; and then I will endeavor to show why and where we are both wrong.

There are too many men scribbling who ought to be hoeing corn; but few of them secure very great gain, or at least, we may say, they do not make a very lasting profit. There are some men hoeing corn in the fields who ought to write occasionally. Not only "born to blush unseen," but never blushing—although there is plenty of the right color in the unfructified rural swain. How many men of intellect, sagacity, of close observation in limited spheres, would become regular or frequent contributors to a gloriously educating literature if they had been taught phonography in the public schools—

men who, from utter distaste and dislike to long-hand *drudgery*, never, or very rarely, put pen to paper. If, in an evening half-hour, the farmer could set down, without appreciable toil, two columns of solid minion matter for the agricultural department of his county paper, what profit thereby might we not reasonably expect? And what a reviving and broadening reflex action would result from such contributions. And so of the mechanic. I have read the letters which such men do sometimes write. And I have written back to them from my sanctum, urging them to repeat the service. Whether my encouragement and request brought more letters for publication or not, there was one invariable response: "I am so tired, when the day's work is done; it is such *drudgery* to write out my facts and reflections." (I like to repeat that word *drudgery*; for it is the word on which the chorus of condemnation must come in.)

"Books enough!" Yes. "Enough professional scribblers in California?" Yes. Now you have said so; I am only agreeing. Persons who attend these meetings, it is presumed, (by the general public,) never or rarely go into bar-rooms in this city late at night. Never; unless they are sent on Missionary errands. At all events, never sitting down as attentive listeners to the conversation of the half-dozen stand-up drunks at the counter. My business or my duty has called me there. And I will venture a revelation. In the dialogue and the story—excluding whatever may be obscene, and something of that which may be blasphemous—you will have for nine such audiences out of ten, more original wit and humor—from the mouths of those six maudling drunkards—than you can find in any of the best specimen productions of the literary clowns who, hailing from the Pacific Coast and professing to represent the new genius of El Dorado, have shied their caps-and-bells into the national arena of letters. Now, I say with you, that a little of this goes a long way; and it goes much too far when it becomes the characteristic, and even the boast, on behalf of the literature of any community. [Appendix K.] At least there should be some variety. Let us not have it all devoted to Mr. Merryman; or, let there be a tremendous innovation at the ends of the semi-circle of literary minstrelsy. Let us have a new joke once in twenty-five years! Mistake me not. I do not set up my tribunal for the world's judgment. But I put it in plainest phrase: that which has become characteristically, distinguishing, peculiar, the most noted literature of the Pacific Coast, is a disgrace and a shame upon us. And though it be upon our heads, let it not descend upon our children.

The drawing, drooling productions of our "first-class humorous writers," thrust into book-form—perhaps a page stolen from the Bible Dictionary for every ten pages of filthy and blasphemous fancy—should be run underneath the table-lands of the future.

And there have been sky-rockets shot over the Continent; leaving San Francisco desolate for a season, and setting Boston on fire—for a day. Certainly it is not creditable for California, when for the sake of recognizing *some* characteristic literature, a borrowed and long-time wandering story of humor, thrown into the mold of

imitative Ingoldsby jingle, and rendered appetizing, more particularly, by sharpening it with the acid of a false, partisan slur upon the State and people—a most unprovoked slander upon the community in which it is first published in its new form—is made the signal and substance for even a day of flaring Eastern notoriety. A half-dozen half-baked book-notice hacks may conspire in a mutual admiration society over such an opportunity for a hurrah for one of their fraternity; but the disgrace exists, and it will come back upon us, when we have been too lenient or too cowardly to make a timely protest.

In a multitude of intelligent scribblers there is one sort of safety; there will be independence, if not severity of judgment. The mystery of literary composition should be worn away from all minds; and then not alone will it be that the qualified ones will come forward, but the entire population will be impregnable to the adulation of a ring or coterie of self-flatterers. Then M and N may chant the praises of their comrades, and their own productions, until they are hoarse—they may paint beauty on the particular month's king an inch thick—they shall not promote the sale of one copy of a two-bit magazine by the puffs, unless there be some warrant for a serious commendation.

Say what you will; facility and habit of ready writing—other things being equal—begets honest thought. It does the man good to have had the experience in childhood of writing compositions to-day, and burning them up to-morrow. "There will be more writing." Suppose it is increased in proportion to the rate of speed, four to six times. Then the probabilities in two cases out of three are, that there will be reviews and revision, and recasting, and ultimately, it may be, manly rejection, as the mind passes into a better state of preparation and truer thought from this very discipline.

And the judicious rule will be recognized and rejoiced in; the rule of final composition only after due preliminary labor, and at times which have been found most congenial. All the great authors have had their periods in the day for their efficient and delightful labor. And oh, we are prone to stop and exclaim: "Would that some of them had been able to realize the use and beneficence of that Art which is being taught to our little children in our public schools to-day!"

How often, as private readers, are we lead to mourn the dragging, and even ungainly march of the periods in many of our best standard works; in the filling in of narrative; the working out of a well-stated proposition or problem. The afflatus is consumed in the prefatory portion or chapters; and a thoroughly sustained volume of history, biography, travel, essay, romance, is a rare production, even from the ablest authors. And with what a sacrifice is the labor wrought where great works come to us with an approximate uniformity of the most excellent style of which we know the brain of the writer is capable? *They* break down in the midst of their years. *Macaulay*. Having delivered a new and magnificent history of two consecutive centuries of English Governmental and Royal Life, and supplied the world with a body of Essays unequalled of their kind in scope and

power, he is cut off in the day of highest promise. His habits of life, aside from devotion to and strain upon his literary appointments, were almost unexceptionable. And he would consecrate his energies on his compositions, in their fullest glow, so far as his great will could command obedience for the day. Join large conscientiousness and firmness and ambition, and it is true that what we may term inspiration for prose utterances may be forced for an unnatural duration of labor; but the tension will prove too strong by and by. The nerves will snap, and the mighty organization go to wreck. But once accustomed to the almost instantaneous recording which STANDARD PHONOGRAPHY affords, and the same amount of composition will be performed under the white heat of the mental furnace, without burning the plates. The quality of thought is enhanced, and the vigor of expression maintained, by a speedy daguerreotyping, when the auspicious time for delivery has come.

Even the days of Prescott were undoubtedly shortened by the unnecessary manual toil he choose to undergo. And who of us can refer to those last days of Sir Walter Scott, when he was taunting every muscle of his mind and hand, that he might lift from his shoulders—and from his name!—a tremendous debt, without a sigh of profoundest regret that he had not this little giant of deliverance; such aid as this Art gives to the author who lacks no fullness of plot and pleasing fancy for a fresh morning hour of rapid conversation upon paper, or reciting to the phonographic penman. He might have accomplished the tremendous task to which he so heroically sat down—supplying the world with far better story for their latest patronage to him—and have lived to an advanced old age, had such a boon been his. Of this I am as sure as I am of my renewed sorrow, this night, at his most untimely taking off in the afternoon of his manhood.

Physiologists tell us that general rules, as to the amount and location of time each day for literary labor, have been established. They announce them and we know them. Within those general limits, in an ordinary lifetime, man may treble his present most excellent service to mankind in literary fields which he is competent to occupy. Senator Thos. H. Benton exclaimed, when a report of one of his speeches was handed to him by the lad of sixteen who had taken and transcribed the notes: "Had I known phonography forty years ago, it would have saved me twenty years of hard labor."

I point to this Art to-night as the handmaid of hygiene proper, in the economy of physiology and of literature.

Alas! for us, unto whom all the advantage in its use have been erroneously ascribed. We poor laborers have been toiling on in our original profession without being able to contribute much or anything towards that grand testimony which exists in truth for phonography, in behalf of all the people. And how many of us might be tempted to exclaim: "Give me back my youthful years, with this cunning of writing at my finger's end, and set me in one of the learned professions, and if I do not publish a

book, pertaining to my vocation, worthy of preservation, it will be because the very best (the now comparatively unknown) advantage to authorship can aid me nothing towards such an achievement."

Oh, there is a mistake here! Why learn your children to write at all? Because we need creditable authorship in California to-day.

Do we desire to establish or build up on new foundations something most distinctively creditable? Let it be the *lecture*. And for Dashaway Hall let there be the full and perfect inspiration of the speaker—not the man the half of whose life has already been worn away in the drudgery of writing. He may not aspire to that which he can suggest. Let the inspiration for the evening hour come from the chosen solitude of the accomplished speaker's study, fitted with this Art.

We need women lecturers in California, and from California. Not scolds and harridans; not women so lost to the unimpeachable proprieties that they would flaunt their divorce papers in the eye of the public, read the result of the assay they have had made of their wedding ring, and distribute fragments of such a marriage cake as they may claim to have had on their bridal day—or even go farther in a postponed imitation of an ancient Oriental exhibition—all for the admission fee of one dollar. Listen to these girls in their recitations and dramatic readings, and say whether they and their companions of equal years and ability do not possess or promise full elocutionary power for the pleasing and fascinating utterance of original, studied discourses?

Phonography is precisely the record match for the charming loquacity of women. O! such blissful infinitude of love letters, and, presently, such delightful essays from their unfettered moments of special inspiration. For a woman can often guess more in a half hour than a man can spell out in a day. And how often are we tempted to say: "Would that their consciences were as tender as their perceptions are keen!" While it proffers a vast field for remunerative dictation and copying labor, phonography invites women to write out their entire sentiments, and declare and pronounce them whenever they chose, and are able to summon an audience. By its enforced delicacy of angle and curve tracery-work it becometh a lady's pen; and sweet are its uses whenever it is at her command—for women are always inspired, and inspiring, when they correspond with the man or the public that they love. And hence it is not singular, perhaps, that as a rule girls are most apt as phonographic students.

Poetry—the greatest poem in greatest degree—is born of inspiration. Bishop Heber's missionary song, which has so largely contributed to bear Christianity to the uttermost parts of the earth, was an hour's inspiration; and the song of our own land—so like the birth of the national hymn of France—grew into life with the rising sun as its refulgent beams flashed upon our banner over the bastions of unsurrendered Fort McHenry.

The martial hymn of France! The poet Holmes has illustrated the Inspiration of that writing:

"The city slept beneath the moonbeam's glance,
Her white walls gleaming through the vines of France.
And all was hushed, save where the footsteps fell
On some high tower, of midnight sentinel.
But one still watched; no self-encircled woes
Chased from his side the angel of repose;
He watched, he wept, for thoughts of bitter years
Bowed his dark lashes, wet with burning tears;
His country's suffering and her children's shame
Streamed o'er his memory like a forest flame.
Each treasured insult, each remembered wrong,
Rolled through his heart and kindled into song;
His taper faded; and the morning gales
Swept through the world the war-song of Marsellais."

Why not, relatively, *longer* inspirations? They are at hand, waiting the universal instruction and use of this simple and beautiful Art! Not fitful—but according to the ability of the individual—regular and sustained. A higher plane of nervous and glowing thought; but no silly rhapsody. At the half hour, perhaps, when your boy or girl shall be constitutionally perfect for the authorship, the writing simultaneous with the conception shall be performed. Then will the vision be clearest, most free from dross, least liable to the warpings of unbalanced fancy. Moonshine melody, weak sentiment, bad lo , grow up in the later, lingering hours of literary drudgery.

We have had plenty of compilers; and these gentlemen have done a necessary work in a good manner, and received a handsome reward. And we have had some raw plagiarists, who did not even imagine they were so much indebted as to be termed compilers; but they have not done us much harm, and they have been the principal purchasers of their own—quotations. And where a Doctor of Divinity can steal a whole volume of model British pulpit discourses, and still go on with his whining appeals and exhortations to petty larceny sinners, we can well afford to forgive the revampers of obscure, anonymous country newspaper poetry and sketches. But we need for the coming decade, *authors* in California: and for the boys and girls in our schools, born and nurtured in our superior, electrifying climate, I plead the continuance as I applaud the commencement of instruction in the BEST OPPORTUNITY for their future literary labor.

Why: as the writing pulls up hill, the comparative dullard, the mere drudge, the mind principally gifted with sheer dogged application and persistence, has the great precedence over the really bright and idea-teeming youth of to-day. The former will work out all he has to the end of so much as he can possibly accomplish; while in perhaps two cases out of three the latter will refuse to cultivate his gifts, because of the tediousness of labor of record. The wits and wise men of the street abhor the study. Teach their children Phonography, with their decimal fractions—if not earlier—and my word for it again, You change all that. I repeat my congratulations.

There exists in California a demand for authors of history-epitomizing and character sketches. Has this ground been thoroughly plowed over by masters in the pioneer fields, by "unapproachably artistic" cultivators? Is it all exhausted and condensed under this Staple programme:

Time: 1849. *Locality:* a gulch in Hang-

town. *Persons seen:* Fifteen miners. *Action:* Picking, shoveling and cradling the golden earth. Only one woman in the country; and she in this camp; and she an old maid. A large boulder comes rushing down from the top of the mountain, on the side of the gulch immediately opposite the diggings—where six cabins may be seen. * * *

Twenty dollars for this sketch, cash down;—or I do not tell you whether the woman was killed in one of these cabins. Twenty dollars; or I do not write whether in the event of her death a letter was found in her only dress pocket, revealing that she was an escaped nun from the Sunny South—or not? Ah! you will not pay the price. You declare that you have your money's worth already (and more) of this kind of literary corduroy waffle? Amen! say I. And yet how far shall we have to journey this night in order to find the Doctor of Divinity who from his pulpit has called this hundred times re-offered breakfast, "Washington Irvingism" and "Charles Dickensism"! As an intelligent people, owe we not something in behalf of the insulted memories of two great writers, whose names have been dragged down for such a comparison?

May I not dare to say, We need Poets in California? on the Pacific Coast? Who has interpreted in pictures of rythm our wonderful scenery: who has touched our mountain tops with song, or sketched in enduring verse the incomparable landscape of our foot-hills and valleys! Who has sung Yosemite! Who has written story and argument in melodious chant on behalf of the best of all of the early inhabitants of this border, known to the literal record? to combat and to neutralize and take the place of silly attempts at caricature, and most unjust assertions and assumptions. May I not at least say, There is room for Poets on the Pacific Coast, whose Inspiration shall be honoring for this fair land and for its people? Or is the catalogue complete! Or are the ready-to-hand, or in-course publications, such as to make ambition vain, and all that was once adjudged pleasing, descriptive verse utterly insipid, and without price?

Has this sweeping style of epic closed the gates of hope against those of our sons and daughters who otherwise might have been numbered among the Bards of the Pacific;

And swift as the wind, on his web-footed mare
He fled from the huge gyascutacans' lair!
Speeding onward, and on—past the hut of the maid
Whose innocent heart he had ruthlessly betrayed!
O'er prairies grown rank with the succulent grass,
O'er alkali plains and o'er boggy morass,—
On! on! for the hot burning fields of the South;
With no pause to eat, and no bit in the mouth
Of the web-footed mare, so black and so fleet,
Which he stole from the chief he laid dead at his feet.
On! on! down the Continent's Lady-waist, till
He knew by the bold, brazen bray of his steed,
He had entered the confines of tawny Brazil;
Then he loosened his knife; then he slackened his speed.

And soon in the distance descried he the flow
Of the Amazon's waters,—majestically slow!
And he laughed and he shrieked with a fiendish delight,
As he thought of the thousand leagues traversed that night:—
Nor ceased his shrill shouting till on a bluff bare
He leapt from the back of his web-footed mare,
Then by the steep edges he sought him a seat;

While the sky all around him was brassy with heat !
 Then he fancied there came from a neighboring dell
 The hungry hyena's scent-jubilee yell !
 And he slid softly down into willowy bushes,—
 When Lo ! he caught sight of the wild boar's white
 tushes !
 And fain had he plunged in the stream with a cry,
 When he met the cold glance of the crocodile's eye !

—Dollar a yard for any more of this Pacific Coast poetry. Boston and London publishers please take notice !

Is there yet room for Poets in California, or on the Pacific Coast ?

Why should not your children learn this method of translating on the letter page their simple, their self-improving, their publicly approved, their encouraging, their alleviating, their ennobling, their divine thoughts ? They may never take the steps up and up, unless there be this slope for their ascent. Labor is one thing ; that which art or science has rendered unnecessary toil is not worthy the name of labor, when the performance is by him or her

who shall have consciously attained, through discipline and age, unto the days appropriate for the higher service. Then it is "labor" no longer : It is *drudgery*.

Without interfering with any other prescribed study, the principles and the application of this Art is in your city's enumerated educational lists, to-day. The speech sounds of our unequaled Saxon tongue are here, for the first time, exactly named and grouped and classified, and lastingly memorised ; fitly joined to characters and combinations which may be written with ease and unexceptionable grace. New and superior possibilities for lucrative employment are assured ; while I have but faintly hinted at the reformations in the lighter and deeper mental movements of the age which shall one day come of this instruction.

And then shall the people proudly remember and say : Among the, first it was taught in the public schools of San Francisco.

APPENDIX.

(A.) The following is a list of Educational Department officers, of San Francisco, for the year 1872. *President of the Board of Education*, Joseph Clement; *Secretary*, George Beanson; *Clerk*, Richard Ott; *Superintendent of Common Schools*, James H. Widber; *Deputy Superintendent*, John Swett; *Members of the Board of Education*: W. A. Plunkett, Joseph Clement, Robert Lewellyn, Nathaniel Holland, John P. Shine, Joseph W. Mather; John F. Meagher, A. L. Wangerheim, Edward Kruse, Samuel Mosgrove, M. J. Donovan, Hiram Rosekrans. The teachers of the several schools in which the study has been introduced have, without exception, contributed to the success of the instruction so far as lay in their power. Col. William Harney took an active part in urging upon Members of the Board of Education the advantages to be reasonably expected from the study. The endorsement of the entire city Press was repeatedly given in unqualified and cordial terms, both before and after the decisive action of the Board. The teacher, Mr. B. C. Brown, has, in his new and very responsible position, more than justified the high expectations of his friends among the fraternity of standard phonographers in this city.

(B.) In many of the divisions of this lecture, the author has felt painfully conscious of the inadequacy of the time allotted for a full statement of the ground of recommendation. After all, we can but hint the excellent uses of our art; nor would an exhaustive enumeration of benefits be wisely written, if it were within the intents or possibilities. Yet, I would have the reader understand, that if my plan had been to write a thorough article on the topic, my propositions would have been more extensive and my illustrations more copious. The material is at hand. But, you may exclaim with the Philosopher, Blessed are the limitations.

(C.) But from these young students, our very best reporters must come. George Kellogg writes under date of Sept. 1st: "Another point in your lecture [referring to my former discourse] I wish to commend, is the judicious way you propose for educating persons for reporting—by commencing when the pupil is young. I have constantly said it. Of course I like to hear another say it." "Your remarks in Note K. are very true; and it was well to let every one who proposes to learn reporting be thoroughly impressed with the necessity of labor and much practice."

(D.) You may all readily and at once conceive many of the advantages of phonography for business and personal diaries, and for correspondence of a strictly social or private nature. But in this matter, the realization is actually far beyond the expectation! Of the number of supreme personal and social comforts of my life, made up from such writings, I mention one or two. When I came around the Horn before the mast, I kept a full and minute record of each day's watches. A half-hour of dashing journal-penning has built up a big volume for my five months' trip. The perfectness of the reminiscence, when I open those pages—as some one day in the succeeding years I have done—is astonishingly gratifying. Not the egotism of writing, but the facts of record beget the liveliest enjoyment. And I remember that these private memoranda apparently cost me no labor. And as I write this in my office, to-night, I am anticipating the great pleasure I shall experience in the hour that is to come. For standing or sitting at one of my desks, in the quiet of the nine to ten o'clock bell-time, I will talk to new and old friends, far away, as though they sat beside me, in front of this blazing grate of coals. Salutations, "business," and conversation of every cheerful and interesting sort will pass between us. At Sacramento, at Salt Lake City, at Denver, at Kansas City, at Omaha, at St. Louis, at Chicago, at Rochester, at Troy, at New York, at Fitchburg, at Springfield, at Boston, at Hartford, at Washington. I have phonographic correspondents that must be answered to-night; and I shall be able to say all I could desire to utter in their presence—without farther prompting from them

—within the hour. Tell me this is not worth a long and determined discipline! Every intelligent educated man and woman in the United States should boast a similar facility and felicity twenty years hence; and in proportion to the progress of years from this date, the number of standard phonographers capable of writing the corresponding style with accuracy and neatness, should increase.

I have often thought that we might announce a *family amanuensis* for almost every large household within the next ten years. Why not this, at least? John or Mary will take the phonographic "pen in hand" and record an evening's dictation from, first, mother and father, and then from brother and sister, and again around the circle—many times around, perhaps—for the general message of greeting and tidings, and questionings and responses, and all manner of pleasant speech. Such a letter to be transmitted to the other side of the continent, to that other John or Mary who will read it to such another domestic gathering. There might be a new era of affectionate interest born of this Art by such a representative process. How deeply the whole family will thus become interested in phonography! I have sat at one side of the parlor when a family chat was going on, and jotted down the dialogue. Then avowing or confessing my unauthorized record, I have both astonished and delighted the old and young in the real play, by the recitation. And I might have indulged in this pastime more frequently in one beloved household, had not the inevitable consequence been a demand for a transcription for distant kindred and friends. It seems to me that where the communication is direct, the simple "notes" will be even more gratifying to all concerned.

"Come! Let us talk with our friends at —, to-night." So mote it be.

(E.) In the making of synopses, the discipline of short-hand reporting is the only thorough fitting process. It is true that some few persons are naturally gifted for this work, and with the aid of long-hand memoranda can produce excellent abstracts of speeches and testimony—giving the gist of the matter. I have known but two such persons in all my experience and observation; Mr. Bell, formerly of the *Sacramento Union*, and Mr. Weekes. Usually, the so-called synopses of sermons, lectures and evidence published in our daily papers are ridiculously incorrect. It is even funny to hear counsel ask men sworn to answer questions touching their competency to act as jurors: "Did you read all the testimony taken on the former trial of this case, as published in the newspapers?" when an imperfect or absolutely incorrect abstract of one answer out of five is the most that has, in that case, ever appeared in the city papers. But men trained as short-hand reporters often gather the skill to make good synopses with comparatively little special effort to that end. It is the fact, however, that such labor can never be successfully performed unless the reporter has the strength to bend his thoughts closely on the words of the speaker or witness as he proceeds. There is no such thing as a sponging, clairvoyant absorption of the utterances, by the brain, and then a squeezing out into clear scope-recital, afterwards. Short-hand writing begets no such automatism. It is wide-awake business.

It has become the fashion of late, in this city, to give abstracts of sermons, and, as a rule, the work is villainously performed. The following extract from *The Churchman*, (Hartford) Nov. 23, 1872, is appropriately introduced here:

REPORTING SERMONS.

"It is hardly to be supposed that this metropolitan custom can be checked by any words of ours. At the same time, we cannot forbear a word or two on the subject. It is a practice of the secular dailies, which has been on the increase of late, and has even begun to extend to such provincial journals as emulate city enterprise.

Whether it is intended to supply non-attendants of

public worship with a sop for their consciences, and to give Monday morning such a flavor of recent church-going as shall appropriately usher in the week-day worldliness, or whether it is for the benefit of those who listened to the discourses in question, we cannot say. In either case, we can fancy hardly anything more inadequate. There is rarely so much of resemblance between the sermon preached and the sermon reported as to raise the faintest impression of the reporter having been a hearer.

In fact, of all compositions, a sermon is least capable of being condensed into a few generalized sentences. It is often a highly-concentrated writing which takes for granted and omits whatever the hearers can be supposed to be familiar with. Its worth, moreover, very frequently consists, not in stating well-known facts, but in so stating them that they make an impression upon the listener. This is done by careful terms of expression, subtle and happy illustrations: by, in short, the thousand and one devices of skilled rhetoric, which are hardly to be reproduced by the printed page. The most phonetically exact report lacks the emphasis, the graces and earnestness of delivery, and may often do injustice even to the speaker's meaning.

But when this is compressed into the half column of a newspaper report, usually a mere succession of unconnected and imperfectly-constructed sentences taken at random, it gives about as distinct an idea of the actual sermon as a bagful of marble chips might give of the Apollo Belvidere.

We do not say that sermons cannot be reported, but we do say that something of the same knowledge and culture which is required to produce them, is needed on the part of those who would give brief summaries of their contents. Such reports as are furnished often do grave injustice to the preacher. A reporter ought to have knowledge enough to apprehend at least the drift of the words, and not to confound a quotation from an opponent, held up for reprobation, with the preacher's own sentiments.

If the thing is worth doing at all, and we suppose it is, (for the space in the daily press is too valuable to be given over to that which nobody reads or pays for), it is worth doing well. It is worth receiving the attention of those who understand their business, if not worthy the anxious care which jots down a legal argument or a political harangue.

And while we are upon this point, we wish to speak of one great cause of confusion, not only in the reports of sermons, but of religious matters in general. No pains are taken to learn what really takes place, but the reporter writes out his story according to his own preconceived notions of what ought to be. We can imagine the sort of stir which our Congregational brethren would make if in the account of one of their services we should say, "the Rev. Mr. Jones, of Amesbury, then intoned the *Litany*, after which the Rev. Mr. Brown, of Bozrah, preached the sermon."

We think that they would hardly accept the excuse that we called the "long prayer" by the name most familiar to us, and that we could not be expected to be up in all the niceties of other denominational peculiarities.

We have lately seen an account of General Meade's funeral at St. Mark's, Philadelphia, which said that "the introductory prayer" was offered by so-and-so, and set us to wondering what variety of funeral service had come up. Another report happily cleared up the mystery. Why could not a writer professing to give a rue account at least have found out that no "introductory prayer" was offered.

These gentry are very sharp upon the unhappy preacher who makes an error in statement which they can detect. They are welcome to their freedom of criticism, but pray let them be perfect in their own performances.

We are aware that the conductors of large journals are anxious to be scrupulously accurate, and will always receive special reports, of admissible length, from those qualified to give them. But we doubt if sermons, or Sunday services generally, are the fit subject of such undertakings. A sermon worth reporting cannot be given except *in extenso*. The same may be said of public lectures, though for these the reason exists which does not in the other case,—the report may serve as an advertisement. Yet we never take up the report of a public lecture without a feeling of disappointment, and almost of annoyance. It is Dead Sea

fruit; the look of the thing is there, but the contents' mostly dust and ashes.

We can fancy this practice leading to a most indefensible end, viz: the writing of sermons for the public eye. It is certainly a temptation to that *ad captandam* style which will admit of being caught and set down in glittering fragments by the flying pencil. It is not a temptation which assails the best men, but the most vain, light-minded, and ambitious of notoriety. Yet thus comes the silent inroad of an evil custom. The laity may come to look upon it as a sort of badge of merit, and covet it for their pastors, though they do not value it for themselves. Preaching has been compelled to yield quite enough of its province to the press, without being dragged captive to grace its conqueror's triumphs."

In regard both to full reports and synopses it may be said that a speaker is surely entitled to "even-handed justice;" that is to say, by the hand of the reporter he has a right to expect such a public record, that the printed appearance of his thoughts shall equal in merit the acceptance by the majority of his audience in the Hall. Frequently, it is the case that a public speaker will commit grammatical and other errors of speech in the course of his rapid and impassioned delivery which few, save the reporter, detect; such may be the excellence of the perspicuous thought and argument. And there are many little accidents of articulation and construction which it would be most contemptible to reproduce in type. It is desirable to weed out from the short-hand reportorial profession, at least, those now within its ranks who, through ignorance, cannot make these decent amendments. Of course, in reporting for a Court record, and where for any special or proper purpose the plan is to present a *verbatim* transcript, these remarks do not apply. It will almost invariably be found that those who cannot render an idea-bearing but awkward-framed sentence into good English, cannot make a literal report of a rapid speech.

[F.] I intended to quote Mr. Scudamore's exact words on this subject; but a State Senator borrowed my copy of Mr. Scudamore's first Report, and for reasons best known to himself has failed to return the volume; though requested to do so by many letters. I consider it no intrusion to make this statement; for some will naturally wonder why I did not give the literal language of authority here.

In the matter of hygiene, the deponent may be heard saying: the most healthful position for writing and study is standing—so declared by wise physicians. Occasional rest in a sitting posture is required by few persons—except the actually infirm. With the phonographic despatch of writing, many may cease to class themselves in a sedentary profession. And for composition, the convenience of the standing desk is on equal terms with the healthfulness of the posture of the writer at its side. A paragraph, or least a sentence, fully formed and adopted, is dashed down in the five-seconds-to-a-line limit, and then the promenade for reflection, projection of thought and lettering of the same, may be resumed. This indicated manner of composition and record is worthy of trial, and will probably suit the temperament of many whose physical nervousness may be worn away in the pacing; while mental vivacity will thus be utilized and displayed, unimpaired by the petulance which might otherwise be exhibited in alternate passages or throughout. Use a standing desk and MANN'S REACTIONARY HEALTH LIFTER.

Chalmers always wrote out his discourses, and yet we have uniform testimony to his marvelous "spirit of delivery;" because, says his biographer, he always *wrote to an audience*. Now Phonography brings this power to all preachers alike: it is *extemporaneous speaking on paper*. And that without the embarrassment of a criticizing audience, hearing an ultimate delivery. If without an amanuensis, it is such speaking in solitude—speaking without dragging or hesitation, or pause; speaking before that one most agreeable but often—when left alone—most unsparing critic: the author himself.

[G.] And speaking of inspiration, I am reminded of a letter which I lately received from George Kellogg, one of our most widely known Standard Phonographers, in which he said:

"I liked your statement concerning Isaac Pitman's selection and arrangement of the alphabet. I have no doubt, that was an inspiration, taking that word as the French sometimes use it, and even in a higher sense,

as used by us. Another matter pleased quite as much as your discrimination in your lecture concerning Isaac; and that is, that you are so well aware of Mr. Graham's merit. His was an extended, comprehensive inspiration, if I may so express it."

[H.] These words of reference to Horace Greeley were written before his illness; but it was thought to be no impropriety to deliver them to the audience at the Hall, and retain them here. He was an execrable long-hand penman; but I doubt not he would have made an elegant Phonographic writer. And so I hold him, as the Fearful Example, for my lecture.

[L.] For catch-thought purpose, I will ask your estimate of phonography. You have been accustomed, perhaps, to put down your odds and ends of ideas in head-notes, suggesting-words; but when the hour for transcription has arrived, your jotted letters hinted little or nothing. They may not even recall the substance of the sentence that flashed into your mind at an auspicious minute. Or they yield the dry argument—if so much; old ideas, perhaps, which you had seen in so fresh a coloring that they were new to all intents and purposes—now tossed up to you out of your skeleton book like a handful of crumbling bones. Not the consonants of thought only do you need to seize, and fasten and secure as they pass before you, but bone-context of sound and harmony and shade; in that impassioned period take the thought in the garment of language in which it rides into or from your brain. The author is satisfied now, it may be, with his facility of record; but he has never dreamed of a swifter and more complete method of capturing the entire fancy of humor or syllogism of logic. I suppose this re-introduction is pardonable, and may be beneficial.

I once heard a distinguished Professor of Biblical Literature say, that after all, the best interpretations or commentaries could be selected here and there, from the passing opinion of a writer—casually speaking of a given verso or chapter. Charles Lamb said he turned back to scraps and shreds, sometimes, to find better things than he had painfully elaborated on a particular subject. The suggestiveness of nature and of circumstances cannot be anticipated; and he who from a noble mind can write complete impressions as he rides or walks along the road, will surely give a keener and more appetizing narrative and verdict.

What crevices of time may be filled with rounded ideas, when the gifted man possesses and avails himself of the benefits of Phonography! Our ablest thinkers and most conscientious workers are overwhelmed with solicitations for literary contributions of every pattern within their supposed compass. I repeat, they may systematize and double or treble their productions, by the help of this simple Art; improve the quality of their work; and then have a larger margin than now for recreation.

[J.] Short-hand Reporting is a great equalizer of the temperament, so to speak; in its exigencies it demands of the nervous man composure and self-possession, and from the sluggish calls for the best activity. This is the grand test for the amanuensis; as he makes his maiden efforts at independent reporting. I have known writers who could take down a dictation from me at the rate of one hundred and seventy words per minute who sadly failed when the demand upon them in court was one hundred and twenty words per minute. In all cases, at first, amanuenses show their best speed in private—like second-class California race-horses.

[K.] The great trick of much of that which, from these vaunted sources, has recently passed for "exquisite humor," simply consists in denying or ignoring the inference; and large volumes from the subscription houses have been machine-fed with this kind of "Pacific Coast wit." The most industrious and adroit puffing will not avail to prevent this commonplace manufactured article from palling on the popular appetite. But the creatures who ladle out this "humor," and the publishers who cook it into stereotype print, are zealous to prejudice the popular mind against a better taste; and the whole gang of impostors—ladle-men and publishers—must be superceded before the wholesome sense can be roused and the superior sustenance appreciated and paid for. The public, with respect to some kinds of California literature, has been of late so much beguiled, that butter born of milk, and biscuits not principally composed of saleratus, will, at first, surprise and perhaps shock the mental system. "Who is to bring this fresh and genuine nutriment?" Our boys—our coming men.

The more facilities for writing supplied, the more certain prospect for them—and us, on their account.

There must be brought about such a competition in newspaperdom and general literature, that the now adventitious but most substantial incorporated monopoly aids shall be free to all. As, for instance, price of news telegrams for the daily journals, and facilities for procuring paper and other material supplies requisite for publication, which have to be imported by railroad or steamer. Everything which contributes toward the popular pressure in behalf of this freedom, and which can now be promoted without check or hindrance, should be fostered with earnest hands. From many sources of unsuspected power and motive of hostility, the newspaper and periodical monopoly of the Pacific coast will meet its due fate—the point, in place of time, for the conjunction and combination being unknown, but held in a reasonable and holy faith.

ADDENDA.

[1.] I appreciate, I think fully, the difficulty in making people generally comprehend the benefits of Phonography. So, it was hard to make people accept the facilities offered by plans of railway construction. You may say; "Every man who has thoughts in him that are worth expressing, that deserve hearing, will speak out in long-hand, and gain his proper audience." And you may not admit the force of the comparison when it is said for a parallel: "What benefit in railroads; every one who desires to travel, and who is capable of writing a creditable book of journey-record, will go in the stage coach, or on camel back, to all places of interest best adapted for his descriptive pen." And yet we are constantly exclaiming: "I wish John Smith would write a book; his conversation is a great treat—full of choice philosophy and humor." But John Smith is lazy—according to common report—and will not sit down to the task of composition. I have known professors whose lecture-room talks far surpassed, in every point of excellence, their written productions—the former always fresh and luminous—the latter as invariably dull and obscure. If men's thoughts naturally flow with the ease and rapidity of conversation, then is it not obvious that long-hand has the man cabined, cribbed and confined, and that in this Art is EMANCIPATION?

[2.] You meet some who say, "I studied short-hand two or three years, and gave it up. I found it was of no use to me, after I had 'got so' I could write 160 words a minute." It is useless to protest against the verdict of such, for they are as fully convinced of one part of their sentence as the other. In nine cases out of ten, diligent inquiry will reduce such statements of experience to this foundation fact: the disheartened one has voyaged about among different fifteen-minute systems, and proved them all worthless for anything like reporting purposes. He may have been able to write, in a mixed way, 100 words per minute, for his average; with a picked and well-practiced paragraph rehearsal, 160 words per minute. In the same time and with the like amount of earnest devotion in STANDARD PHONOGRAPHY, he would have "tamed the savage mystery." There are instances, however, of pure and simple lying condensed in the language above-quoted.

[3.] A young man of good address recently entered a city in one of the Pacific Coast States, and posted up a sign which said that he would report testimony on call, and print it as the trial proceeded, if necessary. His usual rate of speed was 200 words a minute, though when he exerted himself he placed 300 words per minute on the page in good, readable condition. This young man's reportorial career ran up into a waiter's position at a second-class restaurant, where he is now serving hot rounds at the rate of three dishes for twenty-five cents. Since his arrival on this side of the continent he has become converted to a faith in the superiority of one of the junk-shop systems, and his certificate may be expected on a forthcoming new fly leaf to the only edition of one thousand copies ever issued by the unfortunate publisher.

[4.] A gentleman, aged thirty-five, writes to inquire if it is "too late." Alas! alas! too late "for him to commence the study and use of phonography?" No, indeed; we desire many middle-aged men in the classes. They will realize the benefits of the method even more than the young people. These are they who have great and exceedingly precious sentiments of thanksgiving when they have mastered the Art. By the aid of the competent teacher they may soon reach a rate of eighty words per minute; and from

this satisfactory use, for private purposes, they will readily run up to one hundred words per minute—according as their practice may be. Some of the best reporters in the land never thought of learning the Art until after they had reached the hill-top of thirty-five; but, of course, the best time on all accounts for commencing and completing this study is in the teens.

[5.] This generation is to witness the building up of a large profession of short-hand writers. Although short-hand writers have existed, as a class, in every metropolis, for two or three centuries, yet as a considerable body, and as constituents in a regular calling—if I may so term it—the inaugurating period is within our time; especially so in this country. State after State is passing laws authorizing the appointment of official reporters, and fixing their compensation. And more and more, rivalry of enterprise between newspapers is being exhibited in full reports of public proceedings. It is eminently desirable that our higher schools and seminaries should send forth the men who are to occupy positions in our ranks. There is need of intelligent agreement and coöperation in the profession. At present a number of illiterate persons, who can manipulate at the rate of average speaking, have pushed into the reporting field, and by underbidding and other methods, they continue to secure some employment as reporters, to the injury of competent writers and to the disgrace of the entire profession. I have had persons come into my office and complain bitterly of the grossly inaccurate and botched reports of testimony filed in a particular case, mistakenly supposing that it emanated from one of my assistants. When they learned that the transcript was made in a quarter with which we had no connection, they were profuse in apologies, and insisted on proceeding to give particulars as to omissions and substitutions, etc. I have a recent occurrence of that kind in mind. Judges and lawyers have yet to learn to discriminate more carefully between degrees of excellence in reporting; and political or sectarian influence must not be permitted to thrust an incompetent person into an official position as a reporter, and keep him there against the protest of the majority of the suffering bar.

[6.] I know of an instance where two reporters built up a very lucrative business in a city in one of our Pacific States, when in came a stenographer who could write about one hundred words a minute, and destroyed profits. He would work for ten dollars a day and ten cents a folio. And though he did not get down more than one-half of what was said in any given case, and that in a very miserable manner—neither a synopsis nor a well-selected number of sentences—he was employed, and on his terms the prices went below the figures at which in that expensive pioneer city the firm of phonographers could work. It is true, the worthlessness of his reports soon became notorious—the United States District Judge of the District on one occasion ordering his transcript to be thrown out of the window; still he maintained his place. His employing counsel would say: "The other side will employ —, and —, and we can agree to go up on their manuscript." So the ancient stenographer remained until he had ruined the business, so far as the firm of reporters were concerned—until they were obliged to seek new regions beyond. And then he left, too! As an independent place-holder he was not admitted by any one to be worth a farthing. The time will come when lawyers will be ashamed to employ such pretenders, and judges will not dare to appoint such incompetent Official Reporters. May that day soon come on the Pacific coast.

[7.] It is notorious that an incompetent is holding several "Official Reporter" positions in this State,—one office being given to and retained for him by the Judge of a District directly in the face of a statute, which says that the reportership of that Court shall not be held by a person who, for himself or by partnership interest, has any like relation to any other District Court. In another District, in 1870, a person who had not commenced the study of short-hand until a few months before a friendly Judge took his seat, was appointed "Official;" nor was he removed or his resignation accepted, until some months after an affidavit went up to the Supreme Court, saying of this incumbent as follows: "Your petitioner further shows that he is informed and believes that the said reporter did not know how and could not take down the testimony given at said trial, in short-hand, and could not read or

interpret or write out the notes or marks which he made at and during said trial. That he did not, in fact, take down the testimony given at the trial. * * * That your petitioner's attorney served upon the said reporter a written notice, requiring him to file his notes, but he exhibited considerable annoyance and heat on receipt of said notice, and has not complied with the same, and petitioner has no expectation that he will, and petitioner verily believes that if the notes which were taken at said trial by said reporter are filed, your petitioner can prove by experts [as he did] that said notes are in great part meaningless scratches, and that the report of testimony filed is not a transcript or writing of said notes."

In these cases, of course, the censure belongs to the Judge. So long as men wearing the ermine will appoint and retain in office such pets, it may be expected that that these pretenders will continue to disgrace the profession. With the expected accession to the profession from our Public Schools, within the next three years, the pressure on the pet-appointing Judges will be strong in behalf of a reform in this matter. And this outrage may become a sharp point before the constituents of such Judges, when they seek re-election. We shall see.

[8.] Who can say—for no one has as yet said authoritatively—how much Charles Dickens was directly indebted to short-hand? Records of his life, which have been published, do not satisfactorily state as to his use of the system he learned—Gurney's—in his preliminary and final work of composition. We shall have the facts by and by. The most complete autobiographical account of his study and use of short-hand is given in *David Copperfield*—said to be a correct transcript from his experience. The system he learned and used was, so far as the alphabet is concerned, but a slight improvement on the preceding most popular method; and his description of difficulties and torment in memorizing arbitrary signs, exhibit to the Standard Phonographer the vast improvements for which we are under obligations to Andrew J. Graham. Edmond Yates dictates all his novels to a short-hand writer. Many of the English nobility now require of applicants for the office of Private Secretaryship, a practical knowledge of phonography. I have in my possession a letter of recent date from an English Rector, in which he states that his Bishop's secretary writes Graham's system of short-hand, and that the Bishop dictates all his [many] sermons and lectures to this assistant.

I subjoin extracts from *David Copperfield*, as many readers may, perhaps, in this connection, be glad to refresh their recollection as to what Dickens in his best beloved novel told of his reportorial discipline and achievement:

"I had heard that many men, distinguished in various pursuits, had begun life by reporting the debates in Parliament. Traddles having mentioned newspapers to me as one of his hopes, I had put the two things together, and told Traddles in my letter that I wished to know how I could qualify myself for this pursuit. Traddles now informed me, as the result of his inquiries, that the mere mechanical acquisition necessary, except in rare cases, for thorough excellence in it—that is to say, a perfect and entire command of the mystery of short-hand writing and reading—was about equal in difficulty to the mastery of six languages and that it might, perhaps, be attained, by dint of perseverance, in the course of a few years. Traddles reasonably supposed that this would settle the business; but I, only feeling that here indeed were the few tall trees to be hewn down, immediately resolved to work my way on to Dora through this thicket, axe in hand."—*From chap. xxvi.*

"I did not allow my resolution, with respect to the Parliamentary Debates, to cool. It was one of the irons I began to heat immediately, and one of the irons I kept hot, and hammered at, with a perseverance I may honestly admire. I bought an approved scheme of the noble art and mystery of stenography—which cost me ten and six pence—and plunged into a sea of perplexity that brought me, in a few weeks, to the confines of distraction. The changes that were rung upon dots, which in such a position meant such a thing, and in such another position something else entirely different; the wonderful vagaries that were played by circles; the unaccountable consequence that resulted from marks like flies' legs; the tremendous effects of a curve in a wrong place; not only

troubled my waking hours, but re-appeared before me in my sleep. When I had groped my way, blindly, through these difficulties, and had mastered the alphabet, which was an Egyptian Temple in itself, then there appeared a procession of new horrors, called arbitrary characters—the most despotic characters I have ever known—who insisted, for instance, that a thing like the beginning of a cobweb meant expectation, and that a pen-and-ink sky-rocket stood for disadvantageous. When I had fixed these wretches in my mind, I found that they had driven everything else out of it; then, beginning again, I forgot them; while I was picking them up I dropped the other fragments of the system; in short, it was almost heart-breaking.

"It might have been quite heart-breaking, but for Dora, who was the stay and anchor of my tempest-driven bark. Every scratch in the scheme was a knarled oak in the forest of difficulty, and I went on cutting them down, one after another, with such vigor that in three or four months I was in a condition to make an experiment on one of our crack speakers in the Commons. Shall I ever forget how the crack speaker walked off from me before I began, and left my imbecile pencil staggering about the paper as if it were in a fit?

"This would not do, it was quite clear. I was flying too high, and should never get on so. I resorted to Traddles for advice, who suggested that he should dictate speeches to me at a pace, and with occasional stoppages, adapted to my weakness. Very grateful for this friendly aid I accepted the proposal; and night after night, almost every night for a long time, we had a sort of private Parliament in Buckingham street, after I came home from the doctor's.

"I should like to see such a Parliament anywhere else! My aunt and Mr. Dick represented the Government, or the Opposition—as the case might be—and Traddles, with the assistance of Enfield's Speaker, or a volume of parliamentary orations, thundered astonishing invectives against them. Standing by the table, with his finger in the page to keep the place, and his right arm flourishing above his head, Traddles, as Mr. Pitt, Mr. Fox, Mr. Sheridan, Mr. Burke, Lord Castlereagh, Viscount Sidmouth, or Mr. Canning, would work himself into the most violent heats, and deliver the most withering denunciations of the profligacy and corruption of my aunt and Mr. Dick; while I used to sit, at a little distance, with my note-book on my knee, fagging after him with all my might and main. The inconsistency and recklessness of Traddles were not to be exceeded by any real politician. He was for any description of policy, in the compass of a week; and nailed all sorts of colors to every denomination of mast. My aunt, looking like a very immovable Chancellor of the *Exchequer*, would occasionally throw in an interruption or two, as "Hear!" or "No!" or "Oh!" where the text seemed to require it; which was always a signal to Mr. Dick [a perfect country gentleman] to follow lustily with the same cry. But Mr. Dick got taxed with such things in the course of his parliamentary career, and was made responsible for such awful consequences, that he became uncomfortable in his mind sometimes. I believe he actually began to be afraid that he really had been doing something tending to the annihilation of the British constitution and the ruin of the country.

"Often and often we pursued these debates until the clock pointed to midnight and the candles were burning down. The result of so much good practice was, that by-and-by I began to keep pace with Traddles pretty well, and should have been quite triumphant if I had had the least idea what my notes were about. But as to reading them after I had got them, I might as well have copied the Chinese inscriptions on an immense collection of tea-chests, or the golden characters

on all the red-and-green bottles in the chemists' shop!

"There was nothing for it but to turn back and begin all over again. It was very hard, but I turned back, though with a heavy heart, and began laboriously and methodically to plod over the same tedious ground at a snail's pace; stopping to examine every speck in the way on all sides, and making the most desperate efforts to know these elusive characters by sight wherever I met them. I was always punctual at the office; at the doctor's, too; and I really did work, as the common expression is, like a cart-horse."—*From chap. xxviii.*

"I feel as if it were not for me to record, even though this manuscript is intended for no eyes but mine, how hard I worked at that tremendous shorthand, and all improvements appertaining to it, in my sense of responsibility to Dora and her aunts."—*From chap. xlii.*

"I have tamed that savage stenographic mystery. I make a respectable income by it. I am in high repute for my accomplishment in all pertaining to the Art, and am joined with eleven others in reporting the debates in Parliament for a morning newspaper. Night after night I record predictions that are never fulfilled, explanations that are only meant to mystify. I wallow in words. Britannia, that unfortunate female, is always before me, like a trussed fowl: skewered through and through with office pens, and bound hand and foot with red tape. I am sufficiently behind the scenes to know the worth of political life. I am quite an infidel about it, and shall never be converted."—*From chap. xliii.*

Dickens entered the Reporters' Gallery in the House of Commons at the age of nineteen. A very meager sketch of his reportorial career is given in the third and fourth chapters of the first volume of Foster's *Biography of the Novelist*.

[9.] Eugene Davis, reporter, says:

"I have been reminded, while perusing Munson's *Complete Phonographer*, of some lines attributed to Dr. Johnson. When presented with the proof-sheets of a work for the purpose of obtaining the weight of his sanction, he wrote on the title page:

'The stolen portion 's far the best;

Take courage, man, and steal the rest.'"

Prof. Louis Feesser says:

"The credit of having improved the Art of Short-hand to the present state of perfection—of having elevated it to the dignity of a science adapted to the wants of a liberal and complete education—and last, but not least, of having reduced the System of Phonography to a degree of brevity which absolutely forbids any further change, since it is now the *shortest* of short-hand imaginable; this credit is solely due to the genius and scholarly research of the accomplished Phonographer, Andrew J. Graham, of New York City, author of the *Hand-book of Standard Phonography*."

"STANDARD PHONOGRAPHY is the most philosophic, rapid, and beautiful system of short-hand writing ever invented; and this is the result of the labor and study of Andrew J. Graham."—*Haverhill Gazette*.

"Mr. Graham raised Phonography from the crude, chaotic state in which he found it, to a philosophical, useful, and beautiful Art."—*Rochester Democrat*.

"Among those who have contributed to bring this interesting and useful Art into favorable notice, and secure for it the distinction of being a STANDARD Art, the chief credit is due to Andrew J. Graham."—*Rev. Dr. Cooper, in the Evangelical Repository*.

"Andrew J. Graham has done more than any man living to perfect phonography."—*Henry Ward Beecher*.

THE
INQUISITION,

BY REV. FATHER BUCHARD, S. J.

AND A REPLY BY

REV. JOHN HEMPHILL,

Pastor of Calvary Presbyterian Church.

Our Public Schools,

BY REV. JOHN HEMPHILL.

TOGETHER WITH THE REMARKS OF

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THE INQUISITION.

Rev. Father Buchard, S. J., delivered his lecture on the Inquisition, on Tuesday evening, August 5th, in the Church of St. Ignatius, Market street. His audience was not a very large one considering the size of the Church, and though the public generally were invited to come—at a dollar per capita—yet, judging from physiognomy, very few indeed were present except those who are supposed to be under the spiritual, and more or less the temporal, control of the “S. J.” The Rev. Father appeared promptly on time, performed his “genuflexion,” ascended the rostrum, and immediately launched into his subject. The lecture lasted one hour and forty minutes, and a verbatim report would be of such length that very few outside of the pale of the Church would have patience to read it. The following, however, is an abstract, carefully prepared from the verbatim notes of two of the best professional phonographers in the State, Messrs. Marsh and Whitton, and contains everything said by the Rev. Father of interest to the outside world :

Father Buchard, addressing his audience as “friends and brethren,” said the Inquisition was among the many accusations brought against the Catholic Church by their enemies, in the endeavor to show the intolerance of the Church. They admitted that from a certain standpoint the reproach of intolerance was founded on fact. They could not imagine how it could be otherwise, because the Church represented Christ and was the sole repository of doctrine, with a mission to spread that doctrine throughout the world. The Church could not compromise with religions of a different cast without proving false to its divine founder. In that sense they admitted the Catholic Church never had been tolerant, and never can be; and it would be absurd to censure the Church for not allowing unrestricted freedom in teaching what she claimed to be error. Of late years this was coming to be understood so generally, that many of the enemies and former denouncers of the Church now held their peace. It was still charged, however, that the Catholic Church

wars not only against ideas, but also against persons; that when she has the power she strikes as readily with the material sword as with her spiritual anathema. This assertion he pronounced "hazardous," and wanting in a solid basis of fact. The action of the Church, he insisted, is confined to spiritual things, and she is not oppressive. But her enemies delighted to dwell on the past, and especially on the Inquisition, a theme which had so often given rise to the most bitter invectives against the Church of Rome, published in newspapers, pamphlets and books. Many upon reading the terrible descriptions of the Inquisition had felt a sentiment of compassion for its victims, buried in dungeons and tortured to death with the refined cruelty of Spanish executioners. They also felt indignant that such wickedness should have been practiced at the instigation of the priests and sanctioned by the Church. They had no disposition to revive the Inquisition nor would they entirely deny its excesses, but they claimed that many of the charges made against it were false, the fruits of imagination and prejudice. The reproaches cast upon the Inquisition could not justly be applied to the Church. Those who had read histories written by rationalists or Protestants, were ready to agree with Catholic authors, who say that history, for the last 300 years, is a contradiction against the truth—that for the most part it has been a lie and an imposition. The Inquisition was an ecclesiastical tribunal erected by the Popes for the extirpation of heresy. That the Church had a right to establish such a tribunal was proved by the nature of the Church's mission, for the Popes and Bishops were constituted, by Christ, judges of the faith and guardians of the souls committed to their care. The first duty of the shepherd is to watch over his flock and see that none wandered away and perished. So those who have charge of souls and are answerable for them to God, are obliged to combat heresy wherever it is found, and indeed the propagation of any opinion contrary to the faith. They must warn the deceived and censure the disobedient. The Popes were faithful to this obligation, and they founded, from the beginning, tribunals whose object was to judge of things pertaining to the faith. In primitive days punishments for heresy were only spiritual. The obstinate heretic was excommunicated and expelled from the Church. In the third century, however, the Emperor Constantine undertook to reconcile the State with the Church, and established civil institutions which were Christian in their scope and conformation. He became the protector of the Church; to use the language of the time, her Outside Bishop. He issued edicts against heretics and visited them with penalties—imprisonment, exile or death. This new order of things was accepted throughout Europe by the people and by the Church. Christian Europe accepted the maxim that nations had the right to place religion, the highest blessing, under the same protection as the property and lives of citizens. It was not till modern times that this maxim was contested. It still exists, though somewhat weakened in our day. Only in the United States, and perhaps in Belgium, was religious liberty established and inscribed in the laws. Every other Government claimed the right to forbid external religious acts, contrary to the interests of the State.

The Church willingly accepted the new system of Constantine—accepted the aid of the secular arm. Thereafter, when a new doctrine arose the Church examined it, and if she found it contrary to Divine teaching, visited it with her anathema. If the supporters of such doctrine submitted, no penalty was incurred; but if they persisted in their error the State interfered, and obstinate propagators of heresy, whether in public or secret assemblies, were punished as disturbers of the peace. The action of the Church was indirect and the corporeal punishment only emanated from the civil power. Saint Thomas Aquinas, who was, the lecturer said, the greatest theologian of the Middle Ages, sustained the Church in this course, “by proofs drawn from reason and from the highest authority.” Later, society was assailed by dangerous sects—Waldenses, Albigenses and others, and consequently ecclesiastical authority became more stringent and energetic. The Popes organized the Inquisition on a new footing. They sent special legates to infected parts to find out and denounce heretics to the civil authority. During the Pontificate of Innocent III., it was chiefly the monks of Sion who were charged with this mission. They were remarkable for zeal and purity of life. From the time of Gregory IX., the Dominicans succeeded to the office, as their Order had been specially created for the conversion of those who had departed from the Faith. Following these temporary missions came permanent tribunals of heresy, which were called tribunals of Inquisition. In certain countries, and particularly in Spain, these came at length to be abused. Princes and rulers were not slow to perceive the power of such an institution, and to divert it to their own ends. They made the Inquisition an instrument for the exclusive purposes of the State. The Sovereign Pontiffs protested against the encroachment, but in vain. Then the Church was forced to take active measures for the suppression of the evil. The “so-called Reformation,” supplied her with a favorable opportunity. The danger was imminent and pressing, and it became necessary to organize her plans of resistance and centralize her efforts. Pope Paul III. was equal to the task. He suppressed all the tribunals of the Inquisition established in different parts of Europe and instituted instead a congregation of six Cardinals, vested with inquisitorial jurisdiction over the whole Catholic world. Pius V. increased the number to eight and extended the limits of their temporal power. Finally, Sextus V. organized the Roman curiam and increased the number to sixteen, who had charge of all departments of ecclesiastical regime under the name of the “Holy Office,” or Universal Congregation of Inquisition. This tribunal takes cognizance of all cases of heresy, schism, apostacy, magic, abuse of sacraments, and other crimes which bear the character of presumptive heresy. He had not time to go into detail of the mode of procedure of this body. Suffice it, that the interests of those accused were always protected. For instance, the counselors were nominated by the Pope himself from amongst the learned theologians of the Catholic world. These counselors were and are restricted simply to exposing facts and proposing the sentence. Debates pro and con are carried on, and only after mature investigation is sentence pronounced. The accused is allowed to defend himself, by himself or through an advocate.

The Pope himself usually presides, or if absent, the verdict must be submitted in writing for his approval. They could not but see, the lecturer said, *"that an organization of this kind is the very best guaranty for the maintenance of justice as well as for the interests of humanity."*

The age in which the Inquisition or Holy Office was founded was that of religious persecutions, not only in Spain and France, but also in England, where Henry VIII. tortured or put to death 70,000 of his subjects for simply holding opinions different from his own, and where Queen Elizabeth practiced the most refined cruelties against Catholics. In this age deeds of blood were rife on every side, and yet it could not be said, he remarked, much less proved, that any persons were put to death by the action of the Roman Inquisition. It was characterized by a spirit of mildness, and that spirit has never departed from it. It would be difficult to adduce one solitary example of a capital sentence emanating from that tribunal. It was one of the mildest institutions in its spirit and its operation. During the whole of the eighteenth century, remarkable for sophistry and lying, only one reproach for severity was against the Roman Inquisition, and that was the famous case of Galileo. He denied that that astronomer and philosopher was persecuted at all. Galileo was condemned, not for maintaining that the earth moves round the sun, which Copernicus had openly taught before him, but because he sought to adduce the sacred Scriptures in support of his novel system and to elevate his astronomical principle to the dignity of a dogma of faith. In this the lecturer said he was supported by Protestant authority, and read an article from the *Edinburgh Review*, of October, 1837, which article makes substantially the same assertions. [The name of the author was not mentioned, nor did the Rev. lecturer state on what ground he assumed him to be a Protestant, while the tone of the article quoted would lead to the natural inference that it was written by an exceedingly zealous Catholic. For example, the writer says he views the action of the Inquisition towards Galileo as merely a "gentle expostulation and a necessary assertion of ecclesiastical authority."]

In regard to the alleged cruelty with which Galileo was treated, the lecturer read what purported to be a letter written by Galileo himself to a priest who was his disciple. In this letter, the writer, assumed to have been Galileo, speaks of being located at Rome in a "beautiful palace," (which prison Father B. remarked was one of the "terrors of the Inquisition"), and of having been "invited" to make his apology before he was enjoined. He also speaks of being forbidden to write any more dialogues, and refers to the five months of his detention as a "sojourn," instead of using the word imprisonment. The lecturer said it was well known he was not imprisoned for a day or an hour at any time. The writer goes on to speak of his great tranquillity of mind, and of having, during his sojourn, resumed his usual studies, and succeeded in proving certain mechanical propositions upon the resistance of fluids. He says he was finally permitted to go to the country, and went first to one house and then to another, dating his letter from the latter. Such, the Rev. Father said, was the testimony of Galileo himself, in regard to his treatment by the Inquisition, and this letter ought to be known by every one, as

also the letters of certain other gentlemen whose long Italian names he pronounced, but said he had not time to read their statements upon this subject.

The lecturer next referred to an oration by John Quincy Adams, at the laying of the corner stone of the Observatory in Cincinnati, as a "bigoted tirade," and boasted that the edifice was to-day a Catholic monastery; and referred to a pamphlet written some years ago by a Jesuit Father, in reply to that oration, in further proof of the assertion that the charge of persecuting Galileo was unfounded, and that on the contrary he was treated by the Holy Office with every mark of attention and delicacy.

He next turned his attention to the Spanish Inquisition, which he said should not be confounded at all with the Roman, as non-Catholics were prone to do. First, he would give some account of the origin of the Spanish Inquisition. Previous to the Christian Era, a great number of Jews had established themselves in Spain, and in the course of time acquired great wealth and influence; and under the reign of the Visigoths and Moorish Kings, as well as under Christian Princes, they came to be regarded as a most important class of society. Their spirit of proselytism had more than once gravely compromised the safety of the kingdom. During the reign of one of the latter, having made themselves obnoxious to the State, vigorous laws were passed against them, but the penalties to which they were subjected "only served to bring into requisition the resources of their versatile genius," and before many years they had so blended with the people that many of them were even raised to the dignity of Catholic Bishops. The highest offices were filled by them and the noblest families were tainted with Jewish blood. They had publicly forsworn the faith of their fathers, but still secretly worshiped the God of Jacob, and cursed the Nazarene. They paid their taxes and manifested loyal affection to the Government, but inwardly they sought its ruin, because they knew that would be the ruin of the Christian faith. Toward the end of the fifteenth century stringent measures became necessary against them, and Ferdinand and Isabella, by their edict, expelled 100,000 Jews from Spain. A considerable number remained and consented to be baptized, and these were called Maranos. Notwithstanding their outward conformity, they continued to be a hostile and dangerous class. About the same period the conquest of Grenada was completed, the last of the possessions of the Moors in Spain. The Moors were not compelled to quit the country, but were granted unrestricted freedom of worship, which, however, they shortly abused by rising en masse against the Catholic missionaries. Then the Government issued another edict requiring them to leave the country or submit to baptism. The greater part accepted the latter alternative, but with concealed feelings of repugnance. These went by the name of Moriscos, and formed a second hostile class, dangerous alike to the State and the Faith. To guard against this two-fold danger, Ferdinand and Isabella organized an Inquisitorial Tribunal, to exercise surveillance over the Christianized Jews and Moors. This tribunal passed through several phases to the complete and definite form of the Spanish Inquisition. Its organization was completed without the interference of Saint Ignatius Loyola, the founder of

the Society of Jesus, as John Quincy Adams had most ignorantly stated in his oration, and also without the interference of Saint Dominick, founder of the Order of Preachers. Saint Dominick had nothing to do with, and never was a member of, the Spanish Inquisition. Thomas A. Torquemada, a Dominican friar, was appointed Grand Inquisitor, and four tribunals were established with complete codes of laws, under which the institution "began to operate and pursue with rigorous and increasing severity those unprincipled renegades who concealed their crimes under the mask of Catholicity."

It was proposed from the commencement that the Inquisitors should be appointed by the King; and the Pope, not precisely seeing the drift, consented and approved the project. Thus the Spanish Inquisition was under the complete control of the civil authority. Ferdinand and Isabella were inclined to absolutism, and before a long period of time had elapsed, proud cavaliers and dignified prelates who were opposed to the royal policy were ignominiously dragged before the Inquisition on charges of heresy. The Popes were not slow to observe that the Inquisition was being made to serve more the purposes of Imperialism than the interests of the Faith, and hence they raised their voices against it. They complained that their letters of approbation had been extorted from them under false pretenses, and they condemned the rigors of the Spanish Inquisition. They established a Court of Appeal in Rome, and directed all their efforts toward weakening the power of the Spanish Inquisition, with a view to its final abolition. But Ferdinand and Isabella paid no heed, and the Inquisition was popular with the lower orders, who rejoiced in witnessing the severest penalties inflicted upon the Jews and Moors. The most refined cruelty was in their eyes praiseworthy, as tending to preserve the purity of the Castilian race, and prevent that admixture of impure blood which their souls abhorred. They also sympathized with whatever lessened the power of the clergy and nobility, by whom they had been subjected to strict discipline. These lower orders looked more to that liberalism that is now being fought for by a certain branch or party of the Spanish race. Their jealousy, ignorance and hatred, thus contributed to establishing the Inquisition upon a solid footing, and it daily extended its limits, notwithstanding the vigorous opposition of the Popes. In Castile its progress was unchecked, but in Aragon it became unpopular for many years; afterward it was tolerated there.

In support of his statements as to the political character of the Spanish Inquisition, the lecturer said he would quote from works of Protestant authors, in order that their testimony might have more weight with Protestants. He proceeded to read extracts from an author named Ranke, who maintains that the Inquisition was under the supreme control of the monarch, Ferdinand, the Catholic; that Ferdinand forced upon it the appointment of a layman nominated by him, as Inquisitor; that the revenues proceeding from confiscations by the Inquisition was a kind of a supplement to the power of the State, and thus, in fact, a political institution. He also cited the Universal History of Henry Leo, that Isabella bent to her yoke the nobility and clergy of Castile, by the authority of the Inquisition, which institution was com-

pletely dependent upon the crown ; also, Guizot's course of Modern History to the same effect. The conclusions of these writers, he said, accorded with the action and report of the Spanish Cortes in 1512, by which the Inquisition was abolished. This report asserted that the real founder of the Inquisition, as it existed in Spain, was Philip II., the most absurd of Princes. Having read these *authorities*, he was ready to affirm, without fear of contradiction, that the Spanish Inquisition was essentially political, and therefore its excesses could not be imputed to the Church ; such was the inevitable conclusion of an inquiry conducted in a spirit of impartiality and truth. History was becoming purified from error, injustice and partiality, still he deemed it necessary to refute some few remaining prejudices which enchain the minds of dissenting brethren. In the first place, events of the fifteenth century were apt to be appreciated according to the principles of the age in which we live. This was a fruitful source of error. Liberty of conscience in a certain sense exists in a great number of European States, as well as in the United States, though not always put in practice. In this age, where the interests of civil power are not at stake, Governments cared but little what might be the peculiar religious views of individuals or what were their peculiar forms of worship ; but it was different in the Middle Ages. Then apostacy was a crime, and in order to be a faithful citizen it was necessary to profess the religion of the State in which one happened to reside. On this principle the Inquisition was built up. He would here remark, having read the Constitution and By-Laws of the American Protestant Association, existing in this so-called age of liberalism, that that Association actually proposed to erect a tribunal similar to that existing among the nations in the Middle Ages. "They propose to proscribe all who hold the Catholic faith, and disfranchise them as citizens, whether of foreign birth or of the manor born." They ought not to censure the Kings of Spain. They should remember at the same time that they were not the only persons who had followed a mistaken policy. If they held erroneous principles, they held them in common with the age in which they lived, and the American Protestant Association, taking what he had read as its creed, held its principles in common with the Spanish Inquisition of the fifteenth century—going back behind this age. Nor could Protestant Princes be excepted. They followed the same course of action and with the same zeal as their Catholic cotemporaries. The Elector, Frederick III. who had been educated a Lutheran, suddenly became a Calvinist, and persecuted the Lutherans. Thirty years after, his son Louis re-established Lutheranism and persecuted the Calvinists. He mentioned other cases of this kind among Protestant rulers, as being matter of history. In this way it often happened in that age, that in order to show loyalty to the State, individuals were obliged to change religion as often as the Princes did to whom they were subject. Ferdinand and Isabella only did in Spain what the Lutherans and Calvinists did in Germany, and non-

conformists were punished with equal severity on the Rhine and on the Guadalquivir.

The reproach of extreme rigor of penalties on the part of the Inquisition certainly had some foundation, but they must not forget that, in general, all laws were more severe in those than in modern times. In the sixteenth century in Spain, coiners were buried alive. Those who used false weights and measures were lacerated with rods and frequently put to death. The burglar suffered strangulation, though sometimes his sentence was commuted to having his hands cut off, or his eyes plucked out. Highway robbery was also a capital offense. It was not astonishing in view of these facts that the penalties for religious error were at the same time rigorous and strict. In this age, the idea of a death penalty for heresy aroused a sentiment of horror; but if they censured the Spanish Inquisition they must cast the same reproach upon Protestantism and its founders, who did not hesitate to send to the scaffold even those of their own followers who ventured to criticise their doctrines. Michael Servitus suffered death for daring to differ from Calvin on the mystery of the Trinity. Calvin did not rest content with refuting his book, but caused him to be burned alive in the public square, while he himself witnessed the execution from a neighboring window. It was noteworthy that in none of the Protestant confessions of faith did they find a single clause disapproving of Calvin's conduct, so closely was it in conformity with the spirit of the times. On the contrary, he received the warmest felicitations from all quarters, and among the rest from the mild Melancthon, who wrote to him not only approving of his refutation of the horrible blasphemies of Servitus, but also approving of the acts of the magistrates in executing the blasphemer after legal investigation. The lecturer mentioned several others who he said had been immolated by the founders of Protestantism. Hence it appeared there were more Inquisitions than the one in Spain, and not less cruel and vindictive. It was unjust to cast obloquy upon the Spanish Inquisition, and pass by in silence others which deserved equal reproach. Let them congratulate themselves and each other that in this age no one is burned alive, and why seek to revive the smouldering embers of the funeral pile to cast them in the face of Catholics? Rather let them forget the past upon which it is so easy to form erroneous opinions, and let them look to the present. Who is it that now persecutes? The whole Universe hears the groans of Catholic Ireland, oppressed by the Anglican Church. Calvinistic Holland has driven, as it were, to the frontiers, Catholic Belgium. Prussia has thrown a Catholic Bishop into prison, and has expelled the Jesuits and other religious orders, thereby violating her promises of religious protection to half the Empire. The persecution of the Church in Poland continues with unabated vigor, aiming at nothing less than the complete extinction of the Polish nation and the ruin of its faith. The persecution of Catholics and their Bishops in Switzerland is at the present time, he said, without parallel

in history; and liberalism in Spain and Portugal is now persecuting the religious orders and inflicting horrible tortures in the name of liberty of conscience.

Much has been said about the tortures to which the victims of the Inquisition had been subjected, but they must not forget that the same tortures were resorted to by the secular tribunals, and they had their place in many of the European Codes up to the nineteenth century, though not practiced. The spirit of the Inquisition was milder and more humane than the other tribunals throughout Europe. There were in the Inquisition no chains nor iron collars. The prison cells were conveniently large and airy. In the other prisons throughout Europe they had iron manacles, with which prisoners were loaded, and crammed into dungeons, to breathe a fetid and pestilential atmosphere. In the Inquisition prisoners who were sick were treated with kindness and attention, while in other prisons it mattered little whether they died or not. Still they were not disposed to defend the system of torture inflicted by the Inquisition or by any of the civil tribunals. A great deal has been said and written about what is called the *Auto-da-fe*—an act of faith. With many, the mention of this institution as existing in Spain at once called up the idea of immense fires, upon which were great boiling cauldrons filled with bones of unhappy beings, while groups of Spaniards were squatting round, grinning like cannibals, in savage exultation. "All this was a grievous error. No person has ever been burnt or boiled in an *Auto-da-fe*." These solemnities were simple ceremonies in which individuals accused falsely were acquitted with a kind of pomp, or in which the guilty, having repented of their crimes, were formally reconciled to the bosom of the Church. If anything was burned, it was only the candle in the hands of the penitent, carried as a sign that the light of faith had shone once more upon his soul. If, however, there were any who still persisted in error, they were handed over to the secular authority to be dealt with according to civil law, and here the *Auto-da-fe* was finished. Lorente, a historian, hostile to the Catholic Church, relates that at Toledo in 1486, there were 750 persons punished, but not one of them sentenced to death; and in another *Auto-da-fe* the same year, out of 900 victims not one was sentenced to death. The Spanish people regarded these ceremonies as acts of mercy rather than cruelty, and eagerly took part in them.

In conclusion, the lecturer reiterated his assertions, that Catholics did not pretend to defend the Spanish Inquisition, because they did not recognize in the State the right to interfere with the majesty of conscience, and because they were enemies of every species of religious oppression; that the Spanish Inquisition was not as cruel as represented, and whatever cruelties did exist arose from the vindictive nature of that age; that its excesses were never sanctioned by the Church, the institution being more a political than a religious one.

Sapping the Foundation of our Liberties!

The semi-annual reunion of the Roman Catholic Sunday School teachers took place in the basement of St. Mary's Cathedral, at 3 o'clock, on Sunday, July 6th, 1873. Bishop Alemany and a goodly number of the clergy were present. The Secretary read his report, showing that about 8,000 scholars attended the different Roman Catholic schools in this city. More teachers are needed to assist in instructing the pupils in the holy faith of the Church. Those who are in the service labor with commendable zeal. The Hon. Zach. Montgomery delivered a brilliant speech, full of momentous questions to Roman Catholics, of which the following is a synopsis of the main points:

"Being brought into the presence of so august a body and surrounded by so beautiful an audience, I feel embarrassed with a sense of inability to do justice to the subject before me. In case I should commit an unknown error I would ask His Grace to absolve me, as I do not know it. [Applause.] Obedience, as you all know, is the crowning act of faith. I therefore relinquish all preference or desire of my own, and obey the commands of the high political authority of the Church, in coming here to give you a few thoughts or suggestions on truth, right and virtue. [Applause.] I deem it the highest station in life to teach the young Catholic the principles of the only Church on the face of the earth, that is, the Holy Roman Catholic Church. [Applause.] The notion the Protestant element entertain about the great progress made in the nineteenth century, I wish to warn you to abstain from. Inroads made by the telegraph, steamboat, railroad and the printing press, upon our Church, are almost irreparable. They are the means of spreading false rumors and immoral sentiments, that corrupt minds and lives of good Catholics in this far off land. [Applause.] What right has any one to send to this country the acts and doings of a de-

bauched King or President in Europe. For illustration I will name only a few instances. The telegraph brings with lightning speed, the so-called news from Italy that a church had been confiscated, convents thrown open to public inspection, sisters turned out on the cold charities of the world, soldiers stationed on holy and sacred ground; the printing press publishes it with gladness, and in a short time the steamboat and railroad bring minute details, all of which is republished so extensively that it poisons the minds of our Catholic people in this country, and especially the children. [Applause.] But, my friends, you have a higher sphere of usefulness than encouraging the youth to read such corrupting papers. Teach them the holy principles of the Church, and that will save you and them too from the whirlpool of Protestantism and heresy, in all its forms. [Applause.] A pastor is like a watchman on a housetop; he sees the storm coming, and he warns you. You have received such warning, it now remains for you to prepare and fortify yourselves against the coming contest. In this country we have a civil service corps, at Washington, (badly managed), who, by mathematical calculations, can ascertain when a storm will visit a certain locality. Now, my friends in the cross, the great secret civil service corps was established in the Holy City of Rome, about eighteen hundred years ago. [Applause.] Some of my audience know where to get instructions about it. Obey your pastor and look to him for all your knowledge, both civil and religious. Roman Catholics are persecuted on all sides, in hotels, restaurants, and other places of common resort, by sneers, jeers and contemptible expressions about the leading Catholics, and eating meat on Friday. [Applause.] Be patient, and organize yourselves for the day of action. The Protestant theory of independence, making up our minds for ourselves on matters in general, is false as well as damnable in the extreme. There is no such a thing as personal freedom in religion and morality; the whole power lies with the successor of St. Peter, Holy Pio Nono, at the Holy City of Rome. [Applause.] Look to your leader and he will take care of you.

“Your Secretary states that more teachers are wanted. A shepherd would not leave his flock at the mercy of the wolves, so I beseech you not to go to the heretics, (Protestants), to get the required teachers. Your pastors try to please you, but they cannot go beyond the limits prescribed to them by their superiors.

“In this country we have Catholic teachers in the public schools; they should teach the doctrines of our holy faith. [Applause.] But they are prevented by the laws. Now, for the present, they can whisper in the ear of the scholar at times, and tell them how, when and where they can obtain absolution from their sins. [Applause.] The institutions of this country must be made the institutions of the Church, and then our Sunday Schools and the so-called public schools will be one. The common schools of this country are nothing more nor less than so many schools for teaching the young scandal and wrong-doing. I am told by good authority that it is almost impossible to make Christians of the children who attend the public schools. It is high time something was done to correct this evil, and I here venture to say that if the Roman Catholics do not stand up for their rights, they fail to do their duty.

“Among the persecutors we find the Protestants, the Heathens and the Jews, and one of the refuges we have, is in the miracle of the Most Holy Father at Rome, who will deliver us from all harm and absolve us if we will do our duty to the last.”

After the American Jesuit had got rid of his “thoughts and suggestions,” the audience was invited up stairs to receive the benediction. The Bishop and clergy kept their eyes closed all the time during the delivery, and did not speak in the school-room.

[The question will be asked why the above was not published in some of the daily papers. We understand that it was presented to the managers of the various dailies for publication, but all had reasons for not using it. The *Call* was more frank than the rest, stating that the Bishop had requested them not to publish it.]

“S. J.”

The reader will recognize the above title as being affixed to the name of Rev. Father Bucharđ, who delivered one of the appended lectures. A full definition would fill volumes, therefore a few words will suffice to bring to recollection that which is not expressed. Whilst the Reformation was making great strides under the burning inspiration of Luther and Calvin, and was threatening to crush Papacy, a society of fanatical devotees, who were sharpening their daggers in the dark under the cloak of the Church, were enabled to come out and enter upon their mission of exterminating the Protestants. The Society of Jesus (S. J.) was instituted by Ignatius Loyola, (and endorsed by every Pope) a descendant of an old Spanish family. His early youth was passed at the court of Ferdinand the Fifth, and according to the custom of nobility learned to drink and fight; as it is the essence of nobility and papacy to be knavish and hypocritical. Paul the Third, who was considered by the Roman Catholics as the right man in the right place, commissioned the Jesuits and laid out their future usefulness in the following language: “They (S. J.), were to go into every region, into both hemispheres; introduce themselves into courts, to become confessors of kings and privileged classes, and to obtain for the Pope State secrets; others were to confine their efforts to preaching to the middle and lower classes; others were to confine themselves to teaching the youth, (inculcating superstition and intolerance, so as to corrupt their morals), and make them satellites devoted to the theocracy. Some must go into the ranks of Protestants and feign to be one of them, so as get their secrets and designs, and to complete the catalogue of deception they were to appear in public antagonistic to each other, while in secret they would plan the

destruction or advancement of the class that would best serve their purposes. In short, they were to envelop the whole world in its thousand cords, which were to clasp thousands in its iron arms, and cause rivers of blood to flow in every kingdom and State before they would consent to the separation of Church and State, and in both to be the Nerve of the Holy See." State and Church have been separated, notwithstanding the resistance of the S. J's.

The audacity of Buchard, S. J., in apologizing for the cruelties perpetrated by the Popes, only demonstrates more clearly that they expect to make the civil authority of this free land do, what they accomplished in Spain and other European countries. Certain politicians in our city are willing to do the bidding of that power for the sake of holding office. They secure one of the Fathers as a spiritual guide, and then start out electioneering. The Father abhors politics, but will read his prayer book in the hearing of politicians planning how to conciliate certain issues, and then on their way from place to place, suggests, how to take advantage of the man he had just been talking with. He (the Father) was listening instead of reading. This system is being practiced in every department of our Government. Bishops, priests and monks will intrigue to get Catholics elected, and they will reap greater revenues to maintain their minions and pages. If an American citizen should insinuate that there was good done outside of the Roman Church, he is debarred from holding office, because the priest would whisper in the ear of their followers, when they come to Church, and urge them not to vote for such and such parties because they were heretics. Papacy permeates every political party with its vassals, so that they may have power in the civil authority of the land. Bishops and priests have been trying their hands in what is called local politics, for a long time in this country, but they aspire to have a Catholic President and Congress. To carry their points they succeeded in forcing a split in the ranks of the Democracy, (one wing being composed of the S. J. of New York), to nominate Charles O'Connor, of New York,

for President, because this O'Connor is a most devout Catholic, and built a splendid palace for the Jesuits on Lake George. He attended the Ecumenical Council as the legal adviser of the Jesuits of the United States.

History reveals to us how Popes, with the S. J., trampled Emperors and Kings beneath their feet, absolved citizens from their allegiance, took away and bestowed kingdoms, and parceled out authority to whom they would. It is something more than a Church—it is a political despotism, and should be looked upon as such, and American institutions be guarded from its insidious influence.

CHURCH AND STATE.

It seems strange, that while Europe is throwing off the yoke of spiritual despotism and the power of Jesuitical influence is growing weaker and weaker, that here in free, educated and enlightened America, they are waxing fat, and hopefully look forward to the day when they will be able to "butt with their horns." While Italy and Germany stand redeemed, America is heedlessly reforging the chains of despotism, and winding them about her own limbs. It was the result of the union of Church and State, or rather the control of the political affairs of the State by the Church, that drove the founders of this nation into exile, to escape persecution and death. They came to the wilds of America and inaugurated this great republic, which, should be free from the curse and rule of religious bigotry and intolerance. The papacy is a despotism that never changes; it is the same to-day as it was three hundred years ago; for, admit that it changes, and what becomes of its infallibility? If it does not change, then the only reason why it does not enforce submission to its decrees and bulls, by the old arguments of chains and fagots, is because it lacks the power. But let the

American people be on their guard lest peradventure the papal zealots do use the lever of education to block the wheel of progress and turn back the clock of time. They have tried all sorts of intrigues to get possession of this free land, and they are still trying. Look at the countries groaning under the curse of the papal yoke. In every instance we find the country impoverished by taxes; no domestic improvements; industry and commerce at a standstill; and ignorance prevailing among the masses. If the people of this liberty loving country should vote into power such men as Zach. Montgomery, to make and administer her laws, how long would it be before the man at the Vatican would make this his home? Priests, Bishops and mitred prelates would be quartered more thickly in our midst, and it would be but a short time before he would hush the people's voice altogether. Of the Church as a religious body we have nothing to say. It is its government to which we object.

VOX POPULI, VOX DEI.

THE INQUISITION.

A REPLY TO FATHER BUCHARD'S LECTURE.

By Rev. JOHN HEMPHILL,

Pastor Calvary Presbyterian Church.

[The following lecture was delivered to a very large and appreciative audience, on Sunday evening, August 10th 1873.]

"I saw under the altar the souls of them that were slain for the word of God, and for the testimony which they held. And they cried with a loud voice, saying: How long, O Lord, holy and true, dost Thou not judge and avenge our blood on them that dwell on the earth?" Rev. vi: 9-12.

"I saw a woman sit upon a scarlet-colored beast, full of names of blasphemy, having seven heads and ten horns. And the woman was arrayed in purple and scarlet color, and decked with gold and precious stones and pearls, having a golden cup in her hand full of abominations and filthiness of her fornication. And upon her forehead was a name written: Mystery, Babylon the Great, the Mother of Harlots and abominations of the earth. And I saw the woman drunken with the blood of the saints, and with the blood of the martyrs of Jesus." Rev. xvii: 3-6.

The silver-tongued defender of the faith on the Pacific coast, the Rev. Father Buchard, of the Society of Jesus, delivered a lecture last Tuesday evening in the St. Ignatius Church. I went to hear him; and as I listened to his *defense* of the Holy Catholic Church—his APOLOGY I should say—I was forcibly reminded of Gibbon's remark regarding Bossuet: "The ten-horned monster is, at his magic

touch, transformed into the milk-white hind, which must be loved as soon as she is seen." He affected great honesty and simplicity. He endeavored to evade all objections by ingenuity of statement. He labored to divest Romanism of its ugliness, by concealing its defects and substituting an imposing but supposititious and unreal form and beauty. He approximated, as do all Romish apologists in these days, the principles of Popery to the principles of Protestantism as near as might be. He assumed a tone of pity for his "dissenting brethren," as he chose to call them. (Just imagine an Inquisitor of the fifteenth century calling a heretic a "*dissenting brother*.") And he represented the patrons of Protestantism as objects of compassion rather than of hate. He was all kindness and candor. But we were not deceived. We saw the snake in the grass—the canker-worm of bitterness lurking under the fairest professions of pity and benevolence. His statements, as a whole, were misrepresentations of history; and his quotations, from Protestant authors, were irrelevant. For, at the outset, he impugned the veracity of all Protestant history, quoting La Cordaire and others to the effect that history has been "a lie—a flagrant imposition, for the last three hundred years." And yet, in the course of his lecture, he quoted largely from the *Edinburg Review*, from Ranke, Guizot, and other Protestant writers, to fortify his positions, and bolster up his tottering church. Now, in this, he laid himself open to the charge of *inconsistency*, if not of something *much worse*. Suppose this case were tried in a court of justice. The Roman Catholic Church is the defendant, and the Rev. F. Buchard the defendant's counsel. And thus he speaks:

"May it please your Worship, the prisoner at the bar, the Roman Catholic Church, stands charged with the crime of murder. We are prepared to prove that the charge is false, by a score of Protestant witnesses, such as the *Edinburg Review*, Ranke and Guizot. But I wish your Worship to understand that they are not reliable witnesses. They are liars, one and all. Call up the first witness—the *Edinburg Review*." "Not so," replies the Court. "The testimony is inadmissible, by your own showing. The Court excludes it." Such was the logic of the Rev. lecturer—impugning all Protestant testimony in one

breath, and then appealing to it to support his arguments in the next.

But let us proceed. "Among the many accusations," said the lecturer, "which our enemies bring against the Catholic Church, there is one which is advanced with peculiar force and emphasis—tending to show that the spirit of her institutions is intolerant. * * * It is alleged that she declares war against *persons* as well as *ideas*—that when she has the power, she strikes with the sword as well as with the spiritual anathema." "This statement," the speaker went on to say, "is a hazardous one. Facts are wanting. The position is untenable. Her sphere is, and has always been, *spiritual*. In proof of this, we have only to look around us." Not so, Reverend Father. We will look *behind* us. A man goes into your store seeking employment. You say to him: "Who are you? What have you been doing? What is your record?" The man indignantly replies: "Do you take me for a thief? Don't I look an honest man? I don't need any record." A policeman happens to come into your office. You say to him. "Do you know this man?" "Know him! I think I do. He has been convicted of every crime known to the law. He is just out from the State's prison, and he'll soon be in again."

So we say to Father Buchard, and all like him, who tell us to look *around* us for the proof of the fact that the Catholic Church does *not* strike heretics with the sword, we are not satisfied with *this* proof. What is her record? We want to know what she *was*, not what she *is*. *The thief deserves small thanks for being an honest man, while he is caged in the city prison. There is little virtue in a vicious old cat ceasing to scratch, when her claws are cut.*

Let us now come to the subject proper—"The Inquisition." "We deny not the excesses of the Inquisition, said the lecturer, but we affirm that the reproaches cast upon it cannot, with rigorous justice, be applied to the Church. If the Inquisition has subjected itself to the criticism of the world, it must stand alone. The action of the Church in the matter of persecution was indirect. If a new doctrine arose the Church visited it with her anathema. If heretics submitted, no penalty was incurred; but if they persisted, they were consigned to the secular arm to undergo condign vengeance in proportion to their criminality." Such is a fair

specimen of the Rev. Father's dialectics. The Church, by *interdicts* and *excommunications*, recommended, nay urged, Princes and Kings to deeds of carnage, and yet the *Church is entirely free and blameless*. The Church never persecuted.

Two ladies on one occasion contrived between them to repeat a word, the pronunciation of which, by one of them, would have intrenched on politeness and morality. They got over the difficulty in this way: Each lady repeated one-half of the obnoxious word, and, of course, preserved a clear conscience, and committed no offense against propriety or purity. So our Reverend Father, by equally conclusive reasoning, has excused murder and massacre.

A LINK WANTING IN THE CHAIN OF ARGUMENT.

The lecturer, either from accident or design, failed to tell us the *relative* positions of the *civil* and *ecclesiastical* powers in the days of the Inquisition. Here, obviously, is a point on which we require accurate information. So utterly have times changed that we are hardly able to picture to ourselves the awful power of the Catholic Church in the days of its greatness. Does the Reverend lecturer forget that the *State* was the *bond-slave* of the Church for more than a decade of centuries? Does he forget how the Emperor of Germany held the stirrup for Pope Gregory the Seventh to mount his mule? How Henry Plantagenet, of England, walked barefoot through the streets of Canterbury, and knelt in the chapter house to be flogged by the monks? Does he forget how the Roman Pontiff opened the campaign against the British John by a national interdict? How the institutions of religion were suspended; the churches closed; the images of the saints laid on the ground, and the bells ceased to toll? How the dead were deposited in pits like dogs, without ceremony or funeral solemnity? How the English King was excommunicated, and all were forbidden to hold any communication with him? How, in 1212, he was deposed; *his people's oath of allegiance rescinded*, and *his kingdom transferred to Philip of France*? How British independence yielded to Roman tyranny, and John, in an assembly of nobility and clergy, took the crown from his head and delivered it, in token of subjection, to the

Papal Nuncio? Does he forget that Pope after Pope *claimed*, as the vicegerents of God, the *right to dethrone princes*, and that these king-deposing claims were *sanctioned by eight general, holy, apostolic, Roman councils*?

Let not this clerical casuist shirk the question by misrepresentation and evasion. At the time we speak of, the Church ruled the State with a rod of iron. From the throne downwards, every secular office was dependent on the Church. *These are facts*; and you may form some notion from them what a tremendous power the Church must have exercised in Catholic Europe before the Reformation.

"Kings and princes are responsible for the deeds of the Inquisition, not the Roman Pontiffs." The Reverend Father might as well say, "the pistol is responsible for the shooting, not the man who fires the shot." We admit that princes and kings wielded the secular arm against the abettors of heresy. But why? *Because they were admonished to purify their dominions from heretical perversity*; and if they refused, their crowns and lands might, without hesitation, be seized by the champions of Catholicism.

Again: The Catholic Church is responsible for the acts of the Inquisition, because she *consented* thereunto. I ask the Reverend lecturer to tell me what Pope or General Council condemned the cruelties of the Inquisition? I challenge him to the proof. And if he produces a single bull of any Pope, or a single edict of any Council, condemning the acts of the Inquisitorial tormenter, I promise, in the presence of this vast assembly, to recall all that I have said against the Catholic Church, and to publish a card in the paper, stating that I am a wilful calumniator and slanderer. He cannot produce a single instance; while I can produce scores on the other side. Pope Urban II., for example, in 1090, decreed that "the person who, influenced with zeal for Catholicism, should slay any of the excommunicated, was not guilty of murder." Lucius III. fulminated red-hot anathemas against the Waldenses, and consigned them to the secular arm to undergo condign vengeance. Innocent IV. sentenced heretics to be burned alive.

And the bulls of Popes were sanctioned by the *edicts of General Councils*. The third General Council of the Lateran excommunicated the Catharic of Gascony, Albi

and Tolosa, confiscated their possessions, and consigned them to slavery. The fourth and fifth General Councils of the Lateran, the Council of Constance and the Council of Sienna published persecuting enactments of a similar kind. The General Council of Trent also sanctioned persecutions. This assembly, in its second session, "enjoined the extermination of heretics by the sword, the fire, the rope, and all other means, when it could be done with safety." And again, in its last session, it admonished "all princes to exert their influence to prevent the abettors of heresy from misrepresenting or violating the ecclesiastical decrees; and to oblige these objectors to accept and to observe the canons with devotion and fidelity." Clearly this was an appeal to the secular arm:

And again: The number of theologians and historians who have enjoined persecution is simply numberless. From the multitude we may select a few. Benedict, the Dominican, in his history of the Albigenses, approves of all the inhumanity of the Holy Inquisition and the holy wars. Mariana, the Jesuit, in his history of Spain, eulogizes persecutions and the Inquisition, and recommends "fire and sword, when mild means are unavailing and useless." "A wise severity," he says, "is the sovereign remedy." Cardinal Bellarmine contends that for "the honor of religion, heretics should be consigned to the flames." "The Apostles," he says, "abstained from calling in the secular arm only because there were, in their day, no Christian princes." Dens advocates the same views as Bellarmine. Pardon me if I digress a moment. I read from the published speech of the Hon. Z. Montgomery: "Seventy years ago," he says, "Mr. Pitt, who was not a Catholic, after the most careful inquiry on the subject, at the Catholic Universities of Sorbonne, Louvain, Douay, Alcalá, and Salamanca, reported that their answers were all distinct and unanimous as follows: (Here come negations to Mr. Pitt's queries.) I have a word to say in this connection. This Dens, of whom I speak, was a Doctor of the University of Louvain. About 1760 he published a system of theology, which is better known to Catholic priests than the Bible. This work awards to heretics "confiscation of their goods, banishment from the country, confinement in prison, infliction of death, and deprivation of Christian burial." I quote his exact

words, which you may verify for yourselves. "Such falsifiers of the faith and troublers of the community," says this divine, "justly suffer death in the same manner as those who counterfeit money and disturb the State."

This work was recommended to Christendom by the Doctors of Louvain University, on account of "its orthodox faith and its Christian morality." A very few years after their approbation of Dens' theology, Pitt, the British statesman, asked these same Doctors of Louvain, whether persecution were a principle of Romanism. Mr. Montgomery says very truly, that the answers of the Louvain Doctors "were distinctly and unanimously negative." But *they were not true*. The Louvain Doctors *lied* to Mr. Pitt; for, *a few years before*, they had vouched for "the orthodox faith and Christian morality" of a system of theology which says "heretics justly suffer death."

So, I would say to this man, Montgomery: I do not believe the Louvain Doctors, and I do not believe him, and I do not believe them all, when they tell me that persecution is not a principle of their Church, when I have bulls of Popes, and decrees of General Councils, and hundreds of theologians and historians, all testifying on the other side. They are courting inquiry. They are suiting their tactics to the emergency of the occasion; and I, though I should stand alone, shall meet argument with argument, so far as God gives me strength to do so. You have heard *their views* on the public school question. Next Sabbath evening you shall hear *mine*.

Let us return to Father Buchard. The lecturer, if I understood him correctly, said that the Inquisition was more a political, not an ecclesiastical tribunal. I, on the contrary, allege that it was *altogether* an ecclesiastical court, erected by *Popes*, sanctioned by *General Councils*, has been all along supported and governed by *ecclesiastical authority*, was wrought *solely* for *ecclesiastical ends*, and was managed by *priests*. It is Dominic that the world has to thank for this tribunal—Dominic, the man, or monster, who, to-day, is a full-length saint in the Roman calender—Dominic, the greatest ruffian, I will not exempt the Devil himself, that ever defiled or disgraced the creation of God. This man suggested to Pope Innocent III. the erection of this tribunal; and having given abundant proofs that his own genius

lay that way, he was appointed Inquisitor General by the Pope, *in the beginning of the thirteenth century.*

And who established the Inquisition in Spain? A Pope! Sextus IV. sent a bull to Ferdinand and Isabella, bearing date Nov. 1st, 1478, authorizing them to appoint two or three ecclesiastics as inquisitors, for the detection and suppression of heresy throughout their dominions. Yet Father Buchard says the Spanish Inquisition was a purely political institution.

Five years later we find the same Pope encouraging Ferdinand and Isabella to proceed in the great work of purification. And in the course of the same year, he expedited two briefs appointing Thos. de Torquemada Inquisitor-General of Castile and Aragon. *This was the origin of that terrible tribunal, the Spanish or Modern Inquisition, familiar to most readers, whether of history or romance.*

The victims were apprehended commonly at midnight. The familiars of the holy office surrounded the door of a house, whispered the name of the tribunal, and the inmates, transfixed by the dreadful word, delivered up their dearest relatives. The victim was consigned to a dungeon. All communication with friends was cut off. The accuser and the accusation were alike unknown to him. He was urged by the most treacherous means to criminate himself. And when he refused, the rack was employed to extort confession. The accused, whether man or woman, was stripped naked. The arms were tied behind the back. A pulley, fastened to the arms, raised the sufferer off his feet and held him suspended in the air. Then he was let fall several times, and raised with a jerk, which dislocated all the joints of his arms, whilst the cord with which he was suspended entered the flesh and lacerated the tortured nerves. The last scene in this dismal tragedy was the act of faith—*auto da fe*. The ecclesiastical authority transferred the condemned to the secular arm. The heretic, dressed in a yellow coat variegated with pictures of dogs, devils, serpents, flames—typical of his destiny hereafter—was then led to the place of execution, tied to the stake, and committed to the flames, amid the joyful acclamations of the populace.

Having vindicated his own church from the charge of persecution, Father Buchard next paid his respects to Protestantism. He said: "In this age the idea of a

death-penalty for heresy arouses a sentiment of horror; but if they censured the Spanish Inquisition, they must cast the same reproach upon Protestantism and its founders, who did not hesitate to send to the scaffold those who ventured to criticise their doctrines. Michael Servetus suffered death for daring to differ from Calvin on the mystery of the Trinity. Calvin did not rest content with refuting his book, but *caused* him to be burned alive in the public square, while he himself witnessed the execution from a neighboring window." *Calvin caused Michael Servetus to be burned!* It is a vile slander—an utter falsification of the facts of history. *Calvin did not cause Servetus to be burned.* The odium does not attach to him, wherever it belongs. Because:—

(1.) Calvin *was not a member of the court* which tried and convicted Servetus. Nor was he instrumental in bringing about the conviction; for his adherents were a very small minority in the Council. Of the twenty-five members composing it, eighteen were anti-Calvinists.

(2.) The court which tried Servetus was not an *ecclesiastical court*, like the Inquisition; and he was condemned, not on the ground of *heresy*, but because he was *sedition*—his crime being *treason against society*.

(3.) When the wretched man was condemned, there was but *one voice* in all Europe raised in his favor—but one voice that prayed for some mitigation of his punishment—and that voice was *Calvin's*.

So the charge that Calvin caused Michael Servetus to be burned alive, we pronounce to be an unmitigated slander. Still, we freely admit that Calvin, with the other Reformers of the 15th century, *did not understand the principles of free toleration and the rights of conscience*. How could they? Their mother, the Church of Rome, had taught them bad manners. They had been nursed by the wolf, and still had a thirst for blood.

You see we admit the charge of intolerance and bigotry. We soar above the meanness and hypocrisy of falsifying history. We are not anxious to excuse, much less deny, the dragooning of the Puritans and Covenanters—the cruelties inflicted by Laud and the first Charles, and by Claverhouse and Jeffries under the second, and the burning of the Salem witches. These are blots on

our Protestant Christianity which we acknowledge and regret. But with the bold partisans of Rome it is different. With brazen front they are determined to *deny everything* in behalf of their Church. And what do their disclaimers amount to when put in opposition to the vast body of evidence by which the charge is supported? Father Bucharth may try to vindicate his Church from the charge of blood-shedding by a Jesuitical quibble—by saying that it was “the fault of the times; the severity of the laws; the despotic tendencies of governments.” It will not do. Rome must confront the awful charge. “She is drunken with the blood of the saints, and with the blood of the martyrs of Jesus.” She has partners in crime, we admit, but she must not roll over the guilt on them. *She taught them.* Spain and France and the other Catholic powers only followed the policy which she indicated. In the abyss of her councils were these plots hatched. If they brought to bear against heretics all the horrors of the Inquisition, it was with the *Church’s sanction*—at *her earnest solicitation*. At her door, then, must be laid the blood of all those “who were slain for the testimony which they held.”

But the lecturer brought a yet more serious charge against the Protestant churches. He said: “It is a noteworthy fact that in none of the Protestant Confessions of Faith do we find a single clause condemning Calvin’s conduct in burning Servetus.” That is to say, “the Protestant Confessions of Faith *endorse* religious persecution by not condemning it.” Do they? Let us see! The Confession of Faith adopted by our Church, the good old Westminster Confession, speaks thus in the twenty-third chapter, page one hundred and twenty-eight: “Civil magistrates may not, *in the least*, interfere in matters of faith. It is the duty of civil magistrates to protect the Church of our common Lord, without giving the *preference* to any denomination of Christians above the rest, in such a manner that all ecclesiastical persons whatever shall enjoy the *full, free and unquestioned liberty* of discharging every part of their sacred functions without violence and danger. And as Jesus Christ hath appointed a regular government and discipline in his Church, *no law of any commonwealth should interfere with, let or hinder* the due exercise, among the voluntary members of *ANY* denominations of Christians, according to their own profession and belief. It is the duty of civil magistrates to protect the person and good name of all these people, in such an effectual manner as that no person be suffered, either upon pretense of religion or infidelity, to offer any indignity, violence, abuse or injury to any other person whatsoever; and to take order, that all religious and ecclesiastical assemblies be held without molestation or disturbance.”

That does not sound like religious persecution. If Calvin caused Servetus to be put to death, does that article not condemn the act of Calvin? Father Buchard had better put on his glasses the next time he reads the Westminster Confession of Faith.

The 39 Articles of the Episcopal Church have also spoken on this subject. The 37th Article says: "The power of the civil magistrate extends to all men, as well clergy as laity, in all things temporal, but hath *no authority in things purely spiritual.*" Let Father Buchard produce a decree of a General Council which says it is wrong for the civil magistrate to interfere in things spiritual. He cannot do it.

The lecturer next commented on the A. P. A. (American Protestant Association.) He said: "Having read the constitution and by-laws of the A. P. A., existing in this *so called age of liberalism*, I would remark that that Association actually proposed to erect a tribunal similar to that existing among the nations in the Middle Ages. They propose to proscribe all who hold the Catholic faith, and disfranchise them as citizens, whether of foreign birth or to the manor born." Taking what he had read as its creed, it "held principles in common with the Spanish Inquisition of the 15th century, going back behind this age." Now, *I have read the constitution and by-laws of this Association, too; and I have failed to find any such principles.* Perhaps the reason is that he reads with glasses and I don't. I read thus in the constitution: "Our motives may be impugned, our principles misrepresented, we may receive persecution, but for the cause of humanity and our common country we will maintain the Bible principle of Protestantism by *good will* to all mankind, and a strict adherence to our motto—Peace, Law and Order."

And again: "The members pledge themselves, as far as their power lies, by every lawful influence which they can exert, to preserve inviolate that most glorious privilege—liberty of conscience."

Yes, that is just the difference between Romanism and Protestantism. Romanism is the mother of despotism; Protestantism, which is pure Christianity, is the parent of liberty. Romanism delayed the advent of constitutional government for thirteen centuries. It centred all power in one man. It did so on the ground of divine right. It was the very antipodes of constitutional government. With the Reformation the democratic element revived; and just in proportion as the nations of Europe received the principles of the Reformation did they become free and constitutional. If Peter was the first Pope, his successors

have followed his example in one particular. The papal sword is only too ready to leap from its scabbard to smite every heretical Malchus. We, following the example of the Master, are opposed in word and deed to the use of the sword in defense of Christ's Kingdom. Rome, like the Apostles, would command fire from Heaven to destroy their enemies; would enlarge her borders by the roar of artillery, the din of battle, or the horrors of the Inquisition. The weapons of our warfare are not *carnal*, but *spiritual*.

There are just two principles, on one of which our stand must be taken. These are *intolerance*, which is *Romanism*; and *liberty of conscience*, which is *Protestantism*. The Romanist is *constitutionally and consistently*, intolerant, a bigot, a persecutor. His Church is infallible. To doubt is to be damned. He must believe as she believes, and excommunicate all besides. Surrendering his own liberty, he would destroy mine. Physical force is his lawful weapon of spiritual warfare, whether for the subversion of heresy, or the direct advancement of the interests of his Church.

The Protestant, on the contrary, recognizes the open Bible as the standard of appeal; the responsibility and privilege of private judgment; the sacred rights of conscience.

And has the spirit of Rome changed? No; no. There can be no change in an unchanging communion. The ancient spirit is not dead. Like latent heat it is inactive, not extinguished. The generals of the papal army are skillfully adapting their movements to the evolutions of the enemy. Even from the *Roman Camp* we now hear a shout in 'favor of *religious liberty, unfettered conscience and universal toleration*. Their spiritual Goliaths have stalked forth to vindicate with swelling words, "Babylon the Great, the Mother of Harlots and abominations of the earth." And, thank God, there are Davids ready to fell to the earth the foul-mouthed boasters. Their great words—their newspaper cards, do not alarm us. We regard them not as the broadsides of a man-of-war equipped for the battle, but rather as the signal-guns of a sinking ship telling to the startled world that the Ark of Rome is amid the breakers.

The partisans of Rome advocates for the majesty of conscience, forsooth! We are not deceived. We mistake not perfidious parley for a surrender of the field. It suits her purpose now to assume a tone of meekness, an air of injured innocence. Like the wild swan on the bosom of the placid lake, Rome knows when to row her bark along the surface, and when, on seeing the fowler, to dive beneath the waters till she has eluded her adversary. She does not strike with the secular arm now, *because she cannot*. But, she has tasted human blood, and like

the tigress, she will be satisfied with nothing else. Give her the power again and she will strike more fiercely than before. When the news of the Massacre of Bartholomew Day reached Rome, Gregory XIII went in procession to the Church of Saint Louis to render a *Te Deum* of thanks to God for the happy victory. Aye, and Pius the Ninth would do the same if he heard that every Protestant in America was "butchered to make a Roman holiday." Rome cannot change. She can so glove her iron talons as to make them appear soft and delicate as an infant's fingers; but, despite her fair pretensions, her character is the same as in the darkest days of the Middle Ages. She glories in her unchangeableness. We know what she has done for the world. Wherever she has reigned she has converted nations of God's freemen into herds of groveling slaves. And we know what her partisans are doing in Protestant America. They are working and waiting—watching their opportunity to serve us as they have served others: to "destroy that glorious privilege, Liberty of Conscience;" to crush out with iron grasp all that is noble in man. So what we have to say to them is this: "There can only be war—eternal war, between your principles and ours. You mean to make us slaves. We are God's freemen, and rather than live your slaves, God's freemen we will die. We deny not to you the rights which we claim for ourselves. We interfere not with your freedom of opinion. But when you begin to assail our liberties, and level your artillery against the bulwarks of our country's greatness—then with unanimous voice we indignantly thunder, 'Hands off.' We will suffer neither pope nor priest to lay rifling hand on our goodly heritage."

You see your calling, brethren. The forces of darkness are being marshaled. Silently but surely we are entering upon a period of conflict and of trial. Be it yours, then, to cling to pure Christianity in this mendacious age. Uphold the Protestant churches. Send forth their messengers. Stand by the Cross of Calvary. Fight its battles. Wave its banners. Shout its victories. And bless the world.

"OUR PUBLIC SCHOOLS."

BY REV. JOHN HEMPHILL,

SUNDAY EVENING, August 17, 1873.

A New England deacon once said : "Brethren, I should like to make a few remarks before I begin." Like the good deacon, I have a few preliminaries to deal with before I begin my subject proper—"Our Public Schools."

REPLY TO VERITAS.

You have read, I presume, a communication in a daily journal signed "Veritas." The author of that communication pronounces my lecture "a tissue of falsehoods." My assertions, he says, "are utterly devoid of truth." First, he attacked my position as regards the origin of the Inquisition, and in this he forfeited all right to sign himself "Veritas." He misrepresented me. He lied about what I said. He first quoted what I said about the Spanish Inquisition, and then what I said about Dominic ; and then said, in a tone of vindictive triumph : "The world knows that St. Dominic was born in the year 1170, and died on the 6th of August, 1221. How could he be the Inquisitor-General of an institution which, according to the reverend gentleman's own words, was introduced into Spain in 1478—two hundred and fifty-seven years after his death." Here is my reply : I did *not* say that Dominic was made Inquisitor-General of the *Spanish* Inquisition. Following the guidance of the Rev. Father Buchard, I spoke first of the Roman Inquisition, and of it I said : "It is Dominic that the world has to thank for this tribunal. He suggested its erection to Pope Innocent III, and was appointed by him Inquisitor-General in the commencement of the thirteenth century." After the Roman I spoke of the Spanish Inquisition. I asked who established it. "A Pope, Sextus the Fourth, sent a bull to Ferdinand and Isabella, bearing date November 1, 1478, authorizing them to appoint two or three ecclesiastics Inquisitors. Five years later the same Pope sent two briefs, appointing Thomas De Torquemada Inquisitor-General of Castile and Arragon. This was the origin of that terrible tribunal—the Spanish or Modern Inquisition." I did not say one word about Dominic in connection with the Spanish Inquisition. Now,

I ask, is this the criticism of an honest man ; to garble and twist my statements ; to put *first* what I put *last*, to gain a point against me and assail my historical accuracy ? Again, I ask, has he not forfeited all claims to his assumed name—"Veritas?" Next he cites a long array of pretended papal bulls condemning the cruelties of the Inquisition, and reminds me of my solemn promise to recall all that I had said against the Catholic Church if such bulls were produced.

Where are these bulls ? In the archives of the Vatican ? Under the lock and key of Archbishop Alemany ? No ; thank you. I am not satisfied with *private* documents which the world has never seen ; which are not matters of history. If I were a Jesuit I would escape this difficulty by saying that I did not promise to retract anything at the call of an anonymous scribbler. But I am prepared to meet the challenge, like an honest man, who knows whereof he speaks. He hazards the opinion that I "might not be able to understand the Pontifical bulls in the Latin language." I have not much scholarship to boast of, I admit. But I venture to say, without any spirit of boasting, that I can produce testimonials of scholarship, written documents, historic documents, which will stand higher in the estimation of scholars than "Veritas" can produce. Now, there is a challenge for him. But let us meet the issue. Where are these papal bulls ? Are they historic ? No. "Veritas" naively tells us that they are with Archbishop Alemany ; under his lock and key, I presume. Here is my answer : The Supreme Court of the Presbyterian Church is called the General Assembly. The members of the Assembly, selected from the various Presbyteries, represent the Church, legislate for the Church, pass resolutions, enact decrees, if you like, which become laws when they are printed and published and given to the Church and to the world. *Then* they are matters of history, and not till then. They might enact a million decrees, and so long as they keep them concealed they would not be worth the paper they are written on as historic records. Now I want to know where this formidable array of papal bulls is to be found. If they are private documents I will not believe one of them. It so happens that Rome has a code of laws called the Canon Law. That I will acknowledge in this controversy, and in this I am doing "Veritas" no injustice, for one of his own kith and kin, Cardinal Wiseman, says of the Canon Law, that it is "the real and complete code of the Church." We point you to the Minutes of our General Assembly. By these public records we ask you to judge our Church ; and by your Canon Law, which is the growth of many centuries, which is made up of the bulls of Popes and the decrees of Councils, and traditions which have

received the Pontifical sanction—by these *public* documents we will judge your Church, and by these she must stand or fall. Now where, I ask, in the Canon Law do we find a bull, or a decree, condemning the Inquisition? I cannot find one. But I can find many commanding the persecution of heretics.

In the decretals of Gregory IX, Archbishops and Bishops, either personally or by representatives, are commanded to visit their dioceses once or twice every year, and inquire for heretics. Princes are admonished to purge their dominions from the filth of heresy. This work is to be conducted as follows: First—Excommunication; Second—Proscription from all offices, ecclesiastical or civil; Third—Confiscation of their goods; Fourth—Death, sometimes by the sword, more commonly by fire. In the decretals of Pope Honorius II concerning heretics we find this: “All heretics, of both sexes and of every name, we damn to perpetual infamy; we account them accursed, and their goods confiscated; nor can they enjoy their property, or their children succeed to their inheritance, inasmuch as they grievously offend against the Eternal as well as the temporal king.” And we find such statements as these in the Canon Law: “The Bishop of Rome has power to absolve from allegiance, obligation, bond of service, promise and compact, the provinces, cities and armies of kings that rebel against him, and also to loose their vassals and feudatories.” And this: “The bond of allegiance to an excommunicated man does not bind those who have come under it.” And this: An oath sworn against the good of the Church does not bind, because that is “not an oath, but a perjury rather, which is taken against the Church’s interests.” If “*Veritas*” calls at my study I will tell him where these citations may be found in the Canon Law, as it is evident that he is not at all conversant with this, “the real and complete code of his Church.” And more: I will translate these decrees for him from the Latin free of all charges.

So my challenge remains as it was. Let Father Buchard produce a single bull of any Pope, or a single edict of any General Council, condemning the acts of the Inquisitorial tormentor, and I promise, in the presence of this vast assembly, to recall all that I have said against the Catholic Church, and to publish a card in the papers stating that I am a willful calumniator and slanderer.

But, mark well, this does not bind me to retract aught I have said at the call of a cowardly anonymous scribbler. If an iron necessity compels him to wear a mask, let him wear it. I shall not degrade myself by a newspaper reply to a man who is sneak and coward enough to conceal his name. Let him fire his rusty old blunderbuss from behind his intrenchment of imper-

sonality, and let him take care that it does not burst and blow his own head off first. Poor old Rome is in trouble. The infallibility dogma is a heavy burden to carry. She groans under the awful load. The persecuting edicts of infallible Popes are of course infallible still; but they are not just in accordance with the sentiments of the present day. The Ark of Rome has dashed on the rock of infallibility, and is fast going to pieces. *Hinc illæ lacrimæ.*

"OUR PUBLIC SCHOOLS."

In connection with this subject, read the words which you will find in the Proverbs of Solomon, xxii:6:

"Train up a child in the way he should go, and when he is old he will not depart from it."

There are two competing hypotheses on this subject which seem to be exhaustive of the case. There is, in the first place, the Anti-Republican or Roman Catholic hypothesis, which, carried out to its logical ultimatum, is a demand for a separate school for every phase of religious belief. And, in the second place, there is the Republican or Protestant hypothesis, which regards the nation as a unity, an organic body, and which demands that the State shall provide a common system of education for all the people; and thus fulfil one of the most important functions for which the State exists. Such is our American public school system. All Protestant denominations, whatever may be their differences of opinion as regards matters of detail, are united and determined to maintain our public school system because they feel it to be a mighty influence in assimilating diverse nationalities and moulding them into intelligent and patriotic citizens. The public schools, says Protestantism, we shall maintain. The public schools, says Catholicism, we *shall destroy*. Let us proceed to try these competing hypotheses by the tests of Scripture and history, reason and the sense of justice.

I am doing Roman Catholics no injustice when I say that their aim is to destroy our public schools. To prove this statement I shall quote from their own organs. The *Guardian*, of this city, says: "It is certain that Catholics generally are but little concerned as to how our public schools are managed, for it is notorious that the best and most thorough educational institutions in the country are those managed by Catholics. No—it is not so much the management of the godless schools, with which Catholics find fault, as in being compelled to contribute to the support of a system of education which, when not infidel, is avowedly Protestant."

The *Tablet*, for November 13th, 1869, says : "The State must either not tax us at all, or give us our proportion of the money raised to be expended in schools under the control of the Church."

The same paper, of December 25th, says : "We demand of the State, as our right, either such schools as the Church will accept, or exemption from the school tax. If it will support schools by a general tax, we demand that it provide or give us our portion of the public funds, and leave us to provide schools in which we can educate our children in our own religion, under the supervision of our own Church."

The *Freeman's Journal*, of November 13th, 1869, says : "Education is not the work of the State at all. It belongs to families, and should be left to families and to voluntary associations. The school tax is in itself an unjust imposition."

The same journal, for December 11th, says : "Let the public school system go to where it came from—the devil."

Such is the unanimous voice of the Roman Catholic press, regarding our public schools. Now, what shall be our answer to these demands? Shall our legislators vote a portion of the public funds to Catholics for educational purposes? They may do so; they have done so; and the Greek who opened the gates to the Trojan horse will henceforward pass for a wise and honest man in comparison. To vote State appropriations for the support of Jesuit schools and convents is the very *acme* of political madness. Everything connected with our political well-being demands that not one dollar of the public funds shall be given for sectarian purposes, and least of all for Catholic purposes. What! Vote away our public money to establish a Jesuit school here—a Presentation Convent there—to enable the agents of the Vatican to spread abroad their *religio-political* principles; to establish an *imperium in imperio*; to nurse a viper which shall strike its fangs into the heart of this free commonwealth. This is no fancy picture. What Rome *has* done she will do again when opportunity offers. The indications are only too apparent that the agents of the Pope are plotting and planning, burrowing and working to establish a despotism in the heart of this free country. At a meeting of Roman Catholics, held in New York, one of the speakers, exulting over what had been gained by them through special appropriations from the New York Legislature, said, "This is the little finger, and we must persevere

till we get the whole hand." Father Hecker predicts that in 1900 "Rome will have a majority, and be bound to take this country and keep it." "There is, ere long," he says, "to be a State religion in this country; that State religion is to be the Roman Catholic." "The papacy," he predicts, "is soon to rise over the grave of buried Protestantism."

The *Catholic Review* says: "Protestantism of every form has not, and never can have, any right where Catholicity is triumphant."

The Bishop of Pittsburgh says: "Religious liberty is merely endured until the opposite can be carried into effect without peril to the Catholic world."

The Archbishop of St. Louis says: "If the Catholics are ever again, which they surely will be, an immense numerical majority, religious freedom in this country will be at an end."

That is what the agents of Rome are working for in this country—to undermine the Constitution—basely taking advantage of civil freedom and religious toleration to overthrow all freedom and toleration and erect the religio-political Dagon of Rome on the ruins of American liberty and justice. In speaking thus we do them no injustice. This position they have avowed clearly and openly. And with these their avowed intentions they come forward and demand that we divide with them the public funds—that they may do what? Educate, in their schools, not American citizens, but Jesuits, who, at the bidding of the Thunderer of the Vatican, shall strike to overthrow our Government and destroy our civil freedom and religious toleration.

It is gratuitously assumed by all Catholics, and by not a few Protestants, that the Catholic institutions of learning in this country possess a very high order of merit. "It is notorious," says the *Guardian*, "that the best and most thorough educational institutions in this country are those managed by Catholics." I am inclined to think that this statement is a notorious falsehood. I will not pronounce authoritatively: Catholic education is but an experiment in this country as yet. But let us see what Catholic education has done for those countries where it held undisputed sway. Rome was mistress of Europe for more than a thousand years, and then it might be said that "darkness was upon the face of the deep." Ignorance mingled with superstition spread a veil over the nations blacker than the shades of

Erebus. Mind and conscience were enslaved. Fetters were then worn such as had never been forged of iron, and drudge work was done such as blinded Samson had not to do when he ground at the mill, the sport of Philistia's nobles.

And since the Reformation the two rival systems have had a fair trial ; and could anything be more conclusive than the issue—a progress steadily upward in letters, in science, in arts, in those countries where Reformation principles found entrance ; and a steady retrogression in those countries where Rome continued to bear sway. It is true that the Jesuits, finding that the human mind had escaped its dungeon, ostentatiously became educators. Yes ! Rome can wear a mask to suit her purpose. The chameleon borrows a hue from the surface on which it creeps, and so is it with Romanism. The Jesuits build schools and colleges, and profess to educate, but the rations of knowledge are measured out to the pupils in accordance with the aims pursued by the Order. The ideal aimed at is a Jesuit, not a man in the full sense of the word. Take Europe to-day, and whatever advance has been made in knowledge has been made in spite of the Jesuits, and has everywhere been an inverse ratio to their power.

A few years ago the Romish priests of France endeavored to procure an Act of the General Assembly, restoring to them the entire control of the public schools. The gifted Victor Hugo opposed the priests as follows—and every American would do well to consider these eloquent and truthful words.

“ Ah,” said Victor Hugo to the priests, “ we know you. We know the clerical party. It is an old party. This it is which forbids to science and genius the going beyond the Missal, and which wishes to cloister thought in dogmas. Every step which the intelligence of Europe has taken, has been in spite of it. Its history is written in the history of human progress, but *it is written on the back of the leaf*. It is opposed to it all. This it is which caused Prinelli to be scourged for having said that the stars would not fall. This it is which put Campanella seven times to the torture, for having affirmed that the number of worlds was infinite, and for having caught a glimpse at the secret of creation. This it is which persecuted Harvey for having proved the circulation of the blood. In the name of Jesus, it shut up Galileo. In the name of St. Paul, it imprisoned Christopher Colum-

bus. To discover a law of the heavens was an impiety ; to find a world was a heresy. This it is which anathematized Pascal in the name of religion, Montaigne in the name of morality, Moliere in the name of both morality and religion.

* * * * * For a long time already the human conscience has revolted against you, and now demands of you, 'What is it that you wish of me?' For a long time already you have tried to put a gag upon the human intellect. You wish to be the masters of Education. And there is not a poet, not an author, not a philosopher, not a thinker that you accept. All that has been written, found, dreamed, deduced, inspired, imagined, invented by genius, the treasure of civilization, the venerable inheritance of generations, the common patrimony of knowledge, you reject.

"There is a book—a book which is, from one end to the other, an emanation from above—a book which is for the whole world what the Koran is for Islamism, what the Vedas are for India—a book which contains all human wisdom, illuminated by all divine wisdom—a book which the veneration of the people call THE BOOK—the Bible ! Well, your censure has reached even that. Unheard of thing ! Popes have proscribed the Bible ! How astonishing to wise spirits, how overpowering to simple hearts, to see the finger of Rome placed upon the Book of God !

"And yet *you* claim the liberty of teaching. Stop ; be sincere ; let us understand the liberty which you claim. It is the liberty of *not* teaching. You wish us to give *you* the people to instruct. Very well. Let us see your pupils ! Let us see those you have produced. What have you done for Italy ? What have you done for Spain ? For centuries you have kept in your hands, at your discretion, at your school, those two great nations, illustrious among the illustrious. What have you done for them ? I am going to tell you. Thanks to you, Italy, whose name no man, who thinks, can any longer pronounce without an inexpressible filial emotion ; Italy, mother of genius and of nations, which has spread over the universe all the most brilliant marvels of poetry and the arts ; Italy, which has taught mankind to read, now knows not how to read. Yes, Italy is, of all the States of Europe, that where the *smallest number of natives know how to read !*

"Spain, magnificently endowed ; Spain, which received from the Romans her first civilization, from the Arabs her

second civilization, from Providence, and in spite of you, a world—America ; Spain, thanks to you, to your yoke of stupor—which is a yoke of degradation and decay—Spain has lost this secret power, which it had from the Romans ; this genius of art, which it had from the Arabs ; this world, which it had from God ; and in exchange for all that you have made it lose, it has received from you—the Inquisition.

“The Inquisition, which certain men of the party try to re-establish, which has burned on the funeral pile millions of men ; the Inquisition, which disinterred the dead to burn them as heretics ; which declared the children of heretics, even to the second generation, infamous and incapable of any public honors, excepting only those who shall have denounced their fathers ; the Inquisition, which, while I speak, still holds in the papal library the manuscripts of Galileo, sealed under the papal signet. These are your masterpieces. This fire, which we call Italy, you have extinguished. This colossus, that we call Spain, you have undermined. The one in ashes. The other in ruins. This is what you have done for two great nations. What do you wish to do for France ?

“Stop ! You have just come from Rome. I congratulate you. You have had fine success there. You come from gagging the Roman people ; now you wish to gag the French people. I understand. This attempt is still more fine ; but take care—it is dangerous. France is a lion ; and is alive.”

Such is Victor Hugo’s testimony regarding the priests as educators ; and we know that his testimony is true. He knew whereof he spoke.

Yet the *Guardian* says that the schools managed by Catholics are the best and most thorough educational institutions in the country. I don’t believe it. This zeal for education in the Catholic Church is *sham* reform ; nothing else. Self-preservation is the first law of nature ; and obedient to that law the papacy is compelled to keep its subjects in darkness.

If the priests are the educators they claim to be, let us see what they have done for our neighbors, the Mexicans. Mexico was colonized a whole century before New England. Its first settlers were the noblest spirits of Spain in her Augustan age—the epoch of Cervantes, Cortes, Pizarro, Columbus, Gonzalo de Cordova, Xemenes and Isabella. Mexico has been educated by the priests since the 15th century ; and her career has been glorious !! Look at the re-

spective conditions of Mexico and the United States. Mexico is a Catholic country—priests are the educators. And wasn't it a Mexican monk that discovered the electric telegraph? Are not the seas white with Mexican ships? Does not her commerce encircle the globe? Have the Mexicans not tunneled loftiest mountains, spanned majestic rivers, and erected noble beacon-lights amid the waves? Is it not true that Mexico is foremost in the mighty march of civilization and progress?

And look at these poor United States. How our Mexican neighbors must pity our ignorance and barbarism! How Protestantism and a free Bible have clogged the wheels of progress. We have had no Franklins, no Moseses—no orators, nor statesmen, nor poets, nor philosophers. We have built no railroads nor steamships. We are stimulated to zeal by the story of St. Anthony, who sailed to St. Petersburg on a millstone to convert the Russians. We believe the story about St. Denis—that he carried his head in his hand half-a-dozen miles, after it was separated from his body. We exclaim what a wise beast St. Anthony's mule was, which, after three days fasting, left his provender to worship the host. Our academies of science and churches are stocked with the arms and toes and fingers and skulls of great saints who flourished more than a thousand years ago, or perhaps never flourished at all. We possess the identical stone that John the Baptist was crucified on, and the blood-stains may still be seen—the blood never dried, strange to tell. And we have the clippings of St. Peter's beard; and the parings of St. Paul's nails; and a lock of St. Bridget's hair. We have the keel of Noah's ark, and we have a nail from the true cross. And we Protestants of the United States believe that there is a power of virtue in these precious relics. We Americans are a very ignorant and superstitious people—and it's all, I suppose, because we are Protestants and read our Bibles. And then, look at our neighbors, the Mexicans—in productive industry, in wide-spread diffusion of knowledge, in public institutions of every kind, in letters, arts, morals, and religion—is it not true that Mexico stands foremost among the nations? Why is this? Why does Mexico lead the van of civilization? The priests are her educators. Why have the United States lagged far behind? We are a Protestant nation and read the Bible.

To speak seriously, what answer shall we give to the de-

mand of these priests for a share of the public funds? Let us give them an indignant *no!* You ask us to pay you as educators, while history proves that you are no educators at all. Our public schools are maintained by the State for the purpose of training American citizens. You ask us to endorse your schools to train Jesuits. No. It cannot be—it will not be. If you want spiritual luxuries, such as the State schools cannot furnish, then pay for them.

The second proposition which we have to discuss, is: Shall we banish the Bible from our public schools? There are two very important questions lying behind this one which must first be settled. Is the complexion of our Government Christian or Pagan, Catholic or Protestant? Daniel Webster maintains that our Government is a Christian Government. He says: "There is nothing we look for with more certainty than this principle—that Christianity is part of the law of the land. This was the case among the Puritans of New England, the Episcopalians of the Southern States, the Pennsylvania Quakers, the Baptists, the mass of the followers of Whitfield and Wesley, and the Presbyterians. All brought, and all have adopted this great truth, and all have sustained it. And where there is religious sentiment among men at all, this sentiment incorporates itself with the law. Everything declares it. The generations which have gone before speak it, and pronounce it from the tomb. We feel it. All, all proclaim that Christianity, general, tolerant Christianity, independent of sects and parties, *that* Christianity to which the sword and fagot are unknown, general, tolerant Christianity, is the law of the land."

Such are the noble words of Daniel Webster; and he is followed by all jurists and statesmen worthy of the name.

Then, in the second place, this is a Protestant as well as a Christian country. Take out of the country all who profess Protestant Christianity, and you take out its heart and soul—its life and essence. Paganism has made India and China and Japan just what they are. Romanism has made Italy and Spain and Rome just what they are. And Protestantism has made the United States of America just what they are. In its brigin, in its laws, manners and customs, in its social, political and religious life, this is the most distinctively Protestant nation on the face of the earth.

Protestant—yet welcoming all, of every creed and clime and color—admitting all to equal rights and privileges—allowing all to acquire property, and investing them with an equal influence in all public concerns—allowing them to worship as they please, or not at all if they please. But this, it seems, is not enough. The children of the Papacy have come here, and although they still constitute a small minority, they, who are the sworn enemies of all freedom, demand that the Bible shall be banished from our public schools, in the name of freedom. They demand too much. It is an outrage upon all the just principles of governmental action. The schools in China are pervaded with the principles of Confucius; the schools in Turkey are imbued with the spirit of the Koran; and if the schools of America are not pervaded by the truths and principles of Christianity, it will be because we are the most irreligious or the most easily befooled people the world has yet seen.

Our legislators would do well to consider what this demand to exclude the Bible from the public schools means. It means a great deal more than they suppose it means. If you exclude the Bible, you must, to preserve your consistency, exclude all those books that speak in commendation of the Bible. You say, in effect, all our school books shall be submitted to the inspection of Rome before their introduction. You say that no books shall be introduced which are not sanctioned by the expurgatorian index of the Vatican. You have yielded the principle, and that is its logical sequence. You banish from our schools our best English classics, our poets, our historians, the speeches of all or nearly all our foremost orators—for they are so pervaded with Bible truth that it would be almost impossible not to do violence to the principles for which the Romanist contends.

And more than this. You yield to every sect the right to make the same demand. The followers of Brigham Young may now present themselves and ask, nay demand, that all books condemning polygamy shall be banished from the schools. The Atheist may urge his objections to having the doctrine of God's existence taught. The Chinese, if they send their children to the public schools, may say: "We pay taxes for the support of your schools; you teach our children that it is wrong to worship idols; our rights

are trampled upon; in this free country we are resolved not to submit to any such encroachments upon our religion." And we must respect their demands, too. If we respect the conscience of one class, we must respect the conscience of all. And if we grant to the Catholics a division of the school fund, that their children may be educated according to their views, we are bound, by the same reason, to grant an appropriation to Brigham Young, that the children of his followers may be educated in the principles of polygamy.

"We do not," the Catholics say, "object to the Bible in the public schools, we object to the Protestant version of it." Bishop Hughes said the same thing; and when it was proposed to introduce the Douay version for the use of Catholic children, Bishop Hughes was the first to object. The Empire State at last yielded, led down by her tricky politicians, and submitted all her school books to be expurgated by the Catholic Bishops.

But is it true, let us ask, that this book, which we call the King James' Bible, is a Protestant version? No. The work was begun by Wickliffe when he was in full communion in the Romish Church. It was continued by Tynedale, Coverdale, Matthew. and others, in the same Romish Church. It was printed, published and circulated by the authority of a Romish king. This translation was taken as the basis of the translation issued under King James. So this translation of the Bible, which we read to you every Sabbath, is not a Protestant translation at all, but simply the English, and of such perfect freedom from anything sectarian, as between Romanism and Protestantism, that the learned Dr. Alexander Geddis, an ecclesiastic of the Romish Church, called it, of all versions, the most excellent—for accuracy, fidelity and the strictest attention to the letter of the text.

Well, Romish priests clamored for the expulsion of *this Bible*, which is not sectarian at all, from the public schools; and the clamors were listened to. And see the adroitness of the foe. See how they have changed their point of attack. A few years ago they denounced our schools because they taught religion; and now they denounce them, with equal bitterness, because they teach no religion at all—piercing us with the sword which we ourselves have furnished them. You may surrender principle after principle

to them, and your concessions will be in vain. They will never be satisfied till they have devoured our free schools and our free institutions.

So, my friends, my solemn conviction is this: So far as we have yielded to the clamors of Romish priests, for the expulsion of the Bible from our schools, so far we have done wrong. What! shall the conscience of a small minority of Roman Catholics be respected? And shall the conscience of the majority be outraged? I know no more humiliating spectacle than that of thirty millions of American Protestants bowing in the dust before seven millions of Romanists, and giving up to them their Bible—the Bible which has made our country what it is—which is woven into the literature of our nation—which our forefathers acknowledged and revered—which is stereotyped in every page of the history of this glorious Republic. Let us take care. In attempting to please the Pope of Rome, we may lose the favor of the God of Heaven.

I have now done. And, as I said at the commencement of my lecture, that “I should like to make a few remarks before I begin;” so I would say now: I should like to make a few remarks after I have done.

I have been accused of endeavoring to stir up religious strife in this city; and I wish to make a few remarks on the injustice of the charge. Who commenced this controversy? This thing was not done in a corner. Everywhere I went in the city my eye rested on a placard announcing Father Buchard’s lecture on the Inquisition. The very gates and fences cried out—“Inquisition! Inquisition!” There was no word of censure, public or private, for Father Buchard. His lecture was eulogized by the papers. He treated his subject, they said, “in an agreeable and pleasing manner.” Very! for those it suited, but not for me. Wasn’t it very agreeable for me to hear that Protestant history was “a flagrant imposition—a lie?” Very agreeable to hear of “Protestant Inquisitions worse than those of Spain?” Very agreeable to hear that all our “Protestant Confessions endorsed religious persecution by not condemning it.”

All this, and more, may Father Buchard say, and be considered “pleasing and agreeable;” but as soon as I dare to smite the foul impeachment “with the talisman of truth,”

then the papers, with some exceptions, light on me like flesh-flies. Is this the boasted free Press of free America? Is this the boasted freedom of speech of the nineteenth century?

I have excited, I have been told, the indignation of the whole Catholic community. It strikes me they are angry with the wrong man; and they may do one of two things—either bottle up their indignation altogether, or pour out the vials of their wrath on the aggressor. I did not begin the controversy. I did not seek it. But if they think that their priests may speak what they like, with impunity, regarding Protestantism, they do not know me.

I have learned one thing during the past week—that I have foes in this city of the most malignant type. I have been subjected to indignity after indignity; the foulest epithets have been applied to me; the most atrocious slanders have been circulated regarding me. So much so, indeed, that I have come to this conclusion: there is but one thing wanting to establish the Inquisition in San Francisco—the power. And do these slanders frighten me? Not in the least. “Thrice is he armed who hath his quarrel just.” I fear them not. Go on, ye worthy descendants of Tubal-Cain!—ye cunning artificers in brass! Heap heavier still your accusations! You cannot frighten me into holding my peace! Here I stand, at the bar of public opinion, and challenge impeachment for any act of my life, in San Francisco or out of it!

The *Monitor*, too, administered a gentle reproof yesterday. The editor says that there were “neither facts nor figures, law nor logic in my discourse.” It strikes me as somewhat curious that the editor should devote five full-length columns of his paper to refute a discourse which had neither “facts nor figures, law nor logic.” How does this strike you? Then he talks an amount of drivel about enlightenment and liberality. “The lecture,” he says, “evidences a state which we hoped was unknown in this country—as it is fast disappearing from every place where enlightenment and liberality have penetrated.” This is very fine; but here is something finer still. The Archbishop of St. Louis said: “If the Catholics ever gain—which they surely will—an immense numerical majority, religious freedom in this country will be

at an end." The editor of the *Monitor* perhaps, can harmonize his sentiments with those of the Prelate of St. Louis. I cannot. He calls me a "honey-tongued orator." I thank him for the compliment. But is it not a typographical error? Did he not mean to call me "asp-tongued?" There was a sting in what I said—the severest of all stings—the sting of truth. He derives great consolation from my "nationality." I am not an "American." No, I will not attempt to excuse the crime of being born in a foreign land. But why didn't the worthy editor, to make his case still stronger against me, tell how many of the Catholic priests of this country are foreigners, and how many are of native birth. No; I am not an American citizen. I am not one of those foreigners who set foot on American soil to-day, and go to the ballot-box *to-morrow*. I am not a citizen of this Republic in *fact*, but I am in intent. I have declared my intention to become a citizen when the law allows. Does he know how many Archbishops of the Catholic Church have taken the oath of allegiance to the Constitution of the United States? I will tell him. Not one. I renounced, on oath, allegiance to all foreign princes and potentates—*without mental reservation*. Does he know of a Catholic Bishop who could do that with a good conscience? What right, then, have these foreign-born Prelates, who have never sworn allegiance to the Constitution of the country—who have no organic connection with the Government—what right have *they* to dictate to American legislators what books shall be read in the schools, or shall not be read? Does he know of a Jesuit who could, with a good conscience, swear allegiance to any Protestant or heretical state? Of all people in America, Catholics should be the last to sneer at my foreign birth.

"He says: "I hail from that quarter of Ireland in which Orangeism has made its home." Yes; thank God, I can say with Paul: "I am a citizen of no mean city." I do hail from Londonderry, of whose inhabitants Macaulay says: "All that was most courageous, most intelligent, most high-spirited in Northern Ulster was crowded behind the walls of the Maiden City. The number of men capable of bearing arms was 7,000, and the whole world could not have furnished 7,000 men better qualified to meet a terrible emergency, with clear judgment, dauntless valor, and stub-

born patience." I am glad the *Monitor* thinks I inherit something of the courage of my ancestors.

"It is too bad," says the *Monitor*, "that this foreigner should endeavor to inoculate liberal and tolerant Americans with the poison of his bigotry." Says Bishop O'Conner, of Pittsburg: "Religious liberty is merely endured until the opposite can be carried into effect without peril to the Catholic world." Let the *Monitor* produce anything that I have said equal to that, and then I will acknowledge myself a bigot.

I know you better than Americans know you. I feel that it is my duty to let them know what you are. And they are beginning to see what your attack upon the public schools means. You wish to extinguish their light, and bring in the darkness of the Middle Ages. You wish to give us in exchange for our civil freedom and religious toleration—our glorious institutions—a spiritual despotism, which would crush out our national and religious life under its leaden hoof.

PROGRESS.

Notwithstanding the strenuous efforts of that numerous and powerful body of men acting as one mind, with all their wealth and power, with all their secret machinations, using even the cloak of religion to hide their terrible crimes, the world is moving on, ever onward. The Jesuits, who are the Nerve of the Holy See, have tried their hand in every nation on the face of the globe. They hold a commission authorizing them to destroy every power that makes any pretension to self-government. If the Jesuits have no political influence, why did they leave the countries where they are not further allowed to dabble in politics? The Emperor of Germany did not expel them on account of their religious belief, but for self-preservation. He was convinced, beyond all doubt, that they were intriguing to destroy what he had proclaimed to be the law of the land—religious liberty. The truth of the whole problem is, that they are opposed to progress. In all Catholic countries when a discovery or an invention was made it had to be sent to Rome for approval by the Pope before it could be put into use or practice.

History for centuries lays at the door of the Vatican crimes so numerous that they would fill volumes, and so revolting that the blood curdles at the reading. It was the pontifical power, which, in May, 1310, ordered fifty-four of the leading men of a secret benevolent society to be burnt alive, at Paris, over a slow fire; four years later, Jacques de Molay, belonging to the same society, was burnt in the same manner. What were their crimes? They refused to divulge the secrets of their society.

The Jesuits have been driven from Germany, Italy, Austria and Spain, but where do they go? England and America seem to be their choice. England was among the first to break the

yoke of papal oppression, yet we see that the Jesuits have almost gained another victory there. Through some power, best known to themselves, they have succeeded in creating a disturbance in the High or Established Church of England on the subject of introducing confessionals. What will be the result, time only will solve. However, it is our opinion, the movement will eventually place England in the van of the grand march of progress, because the mass of the people are opposed to returning to papacy. In America the Jesuits are trying to break down the public schools and other signs of progress. They are getting pretty bold.

It is a very well understood fact that Mr. Z. Montgomery is opposed to the public schools. He published a paper some years ago, in this city, in which he advocated the same ideas as those expressed before the teachers of the Roman Catholic Sunday School. At the time of the assassination of Abraham Lincoln it was suddenly knocked into "pi" by an indignant populace, from which condition it has never been resurrected. Perhaps when Mr. Z. Montgomery becomes inspired with the spirit of progress he will publish a book.

Reader, I have furnished you with this pamphlet, hoping that it will stimulate you to investigate history, as well as look around you and see what the emissaries of the Pope are doing. Are they working for progress or retrogression?

GEO. W. HAGANS.

87
CO-OPERATION.

S P E E C H

OF

HON. LELAND STANFORD,

OF CALIFORNIA,

IN THE

UNITED STATES SENATE,

FEB. 16, 1887.

WASHINGTON:
1887.

CO-OPERATION.

SPEECH

OF

HON. LELAND STANFORD,

OF CALIFORNIA.

The Senate, Wednesday, February 16, 1887, having under consideration the bill S. 3022—a bill to encourage co-operation and to provide for the formation of associations in the District of Columbia for the purpose of conducting any lawful business and dividing the profits among the members thereof—MR. STANFORD said :

MR. PRESIDENT : The bill which I have introduced (Senate Bill No. 3022) provides for the association and organization of individuals with or without capital. It gives no exclusive privileges, and is intended only to aid the natural right of association.

In a large sense, civilization itself rests and advances on the great principles of co-operation. The industries, the thoughts, the great ideas which produce vast and beneficial results, find their full development in association. Thus the discoveries in art and in science are distributed or availed of ; and they inure to the benefit of the whole community—often to the whole civilized world.

CO-OPERATION STRENGTHENS THE WEAK.

So the organization of individuals for a common purpose gives the strength, the capacity, of the ablest to all in the association. The weakest, and the one of the least capacity, is brought up in advantages to the level of the best. The result of this association is to bring the individuals of the association closer to the entire fruits of their united industries. With a greater intelligence, and with a better understanding of the principles of co-operation, the adoption of them in practice will, in time, I imagine, cause most of the industries of the country to be carried on by these co-operative associations. The co-operation of individuals in kindred pursuits would have the effect of furnishing, from their variety of labor, continuous employment. Thus a combination of men could even do farming,—rendering for hire their services to the farmers,—and might find that continuity of labor so important to the laborer and conducive to the maximum power of production which arises from constant employment.

PROPERTY DEPENDS ON PRODUCTION.

A country's prosperity must always mainly depend upon its power of production. This is to be brought about by the most intelligent direction and application of labor. Abundant illustrations might be given to show that the value of the labor of an individual, like the wealth of the country, will depend upon the power of production. The most notable example of this is to be found in the production of wheat in Egypt, in India, and in America. Wheat is raised in all these countries to compete in the same market—England. The compensation to the laborer on the banks of the

Nile is a red radish ; in India, about five cents a day. In my own State, California, the harvester receives \$2.00 per day—forty times as much as his competitor receives in India. Now, these comparatively high wages could not be paid except upon a comparatively large production. The man in California receives forty times as much for a day's labor as a man in India ; or the wages of one man in California equal those of forty men in India. And yet he competes successfully because he avails himself of the genius of inventors—cuts and threshes and puts into a sack a hundred pounds of wheat for a cent and a half.

THE LAW OF COMPENSATION.

And so in every other field of labor the compensation will always be in proportion to the production. The earth yields abundantly, through labor, to supply the wants of mankind. Her yield of supplies for the necessities, the comforts, the elegancies, and the splendors of life are only measured by the amount of intelligent labor that is applied to the cultivation of the soil, to the working of mines, of quarries, and of forests and their products ; and if there is want among the provident and industrious it must be for the lack of the intelligent direction and application of labor. How far these wants may be supplied by legislation is a problem ; but I believe much aid may be given.

In the history of nations, want of the commonest necessities has been the rule. Hitherto governments have been founded in force, maintained in force, and the principal thought has been to increase the force, or to so organize it as to preserve the government. Hence the large standing armies of Europe to-day. The theory of our Government

is that it was instituted for the benefit of the people ; that there are inalienable rights—rights which are superior to constitutions and laws, securing the individual in his rights of liberty, property, and the pursuit of happiness, even to the extent of commanding the support of every other citizen in the whole country. These great principles, securing the freedom and the rights of the individual, insure to us forever a free government so long as the intelligence of the people is adequate in appreciating the principles upon which their government is founded. Hence we need no great standing armies to overawe and menace the people ; and our time and thoughts can be directed to their general development and to improvement in their condition.

It is in the hope of strengthening and developing the intelligence and the productive power of the individual without capital, or with but little, that I have introduced this bill, believing it to be one great step towards attaining the highest possibility of abundance of the necessities and comforts of life for every industrious and provident individual.

THE VALUE OF CO-OPERATION.

I believe that co-operation will bring out the highest capacities of those engaged in it. It will impart to each individual the stimulus of knowing that he or she may enjoy the full fruits of his or her skill and energy in their calling. In those countries where there is the most intelligence there is the greatest use made of labor-aiding machinery ; and where this labor-aiding machinery is used most, as in our own country, there the compensation of the laborer is the largest. Even in Europe those countries that make most use of labor-aiding machinery have the best compensation for their labor.

Occasionally there is evidence of apprehension that labor-aiding machinery may deprive the laborer of the demand for his services ; but any apprehension of that kind must readily disappear with the reflection that the wants of humanity are as boundless as the intelligence and capacity to conceive. With the ignorance of the Digger Indian there are few wants ; no intelligence to conceive, and the demand for the labor supply of others is of the most limited kind. The more intelligent the people the greater are their wants, and with those increased wants the greater the demand for labor ; and, in the universality of labor, the greater the capacity of individuals and communities to make exchange of their productions.

THE REMOVAL OF NON-PRODUCERS.

I have the hope and the faith that the principles of our Government, of our great bill of rights as set forth in the Declaration of Independence, will yet pervade the whole civilized world ; and as these ideas are adopted, and as they expand into the control of governments, so will disappear great standing armies ; non-producers will be changed into fruitful producers, adding to the comforts and happiness of humanity. Then the principal attention of the governments will be directed towards developing the arts of peace, and making humanity more happy.

In proposing the passage of a law of this kind, there is in it only an extension to persons without capital of the provisions that have existed heretofore in the laws provided for the association of those with capital. There is no invasion of the principles of association which have, happily, done so much in the development of the resources of our country and proved such a stimulus to its industry.

The principle of co-operation of individuals is a most democratic one. It enables the requisite combination of numbers and capital to engage in and develop every enterprise of promise, however large. It is the absolute protection of the people against the possible monopoly of the few, and renders offensive monopoly, and a burdensome one, impossible. The only possible monopoly with these laws in existence is one of beneficence, and to the extent that the wants and condition of the people can be better supplied than by any other means. So far, only, can there be a monopoly in our country under these laws of co-operation.

THE ADVANTAGES OF CO-OPERATION.

One of the great advantages of association of this kind is that in case of disagreement, death, or failure of individuals, the organization goes on; and in this respect it is freed from the disadvantages of an ordinary partnership. Besides, the diverse capacities of the different individuals, whatever they may be, unite to make up a great whole of strength and of large capacity.

One of the difficulties in the employment of women arises from their domestic duties; but co-operation would provide for a general utilization of their capacities and permit the prosecution of their business, without harm, because of the temporary incapacity of the individual to prosecute her calling. And if this co-operation shall relieve them of the temporary incapacity arising from the duties incident to motherhood, then their capacity for production may be utilized to the greatest extent.

Very many of the industries would be open to and managed as well by women in their co-operative capacity as by men.

The moral influences of co-operation are very great. All in the organization are interested in the welfare and good conduct of every other member. All the good influences of the whole are brought to bear in favor of the individual, and all the individual members unite to make the whole most powerful for the accomplishment of results.

The Bill is as follows :

49TH CONGRESS,
2D SESSION.

S. 3022.

IN THE SENATE OF THE UNITED STATES.

Mr. STANFORD introduced the following bill; which was read twice and referred to the Committee on the Judiciary.

A BILL to encourage co-operation and to provide for the formation of associations in the District of Columbia for the purpose of conducting any lawful business and dividing the profits among the members thereof.

Whereas the right of association for any lawful purpose is a natural right; and Whereas the exercise of this right enables persons of small means or whose only capital is labor to combine such means or labor in a common enterprise and bring to it the strength of the whole, and the intelligence of all; and

Whereas the passage of liberal laws relating to the mode and manner by which co-operative associations may be formed, and defining the rights and duties of the members thereof will encourage the formation of such associations, and give the incentive to industry which comes from a knowledge that its fruits will be secured to the worker : Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any two or more persons may associate themselves together in the manner prescribed by this act for the purpose of conducting any lawful business, trade, or occupation, or for any purpose for which individuals may lawfully associate themselves.

SEC. 2. That any two or more persons desiring to associate themselves together for the purpose aforesaid shall prepare articles of association, which articles shall set forth—

First. The name of the association.

Second. The purpose for which it is formed.

Third. The place where its principal business is to be transacted.

Fourth. The term for which it is to exist, not exceeding ninety-nine years.

Fifth. The number of the managers thereof, and the names and residences of those who are appointed for the first year.

Sixth. The amount of moneyed capital, if any, and the number of shares into which that capital is divided.

Seventh. If there is no moneyed capital, then the amount and kind of property which the associates devote to the enterprise, and the interest of each therein.

Eighth. If there is neither a moneyed capital nor other property devoted, but the labor alone of the associates is in the first instance combined, then the amount of labor to be performed by each, the terms upon which it will be performed, and what percentage of the net proceeds of such labor shall be reserved to the association as capital for future operations.

Ninth. If moneyed capital and other property is combined, then the amount thereof and the kind of property, and the share or interest of each therein.

Tenth. If labor be combined with either moneyed capital or other property, or both, then the share or interest of each therein, the amount of labor to be performed by each, the terms upon which it will be performed, and what percentage of the net proceeds of such labor shall be reserved to the association as capital for future operations.

SEC. 3. That the articles of association hereinbefore provided for must be subscribed by the original associates and acknowledged by each before any officer of or in any State or Territory of the United States having a seal and authorized by the laws of such State or Territory to take and certify acknowledgments of conveyances of real property.

SEC. 4. That the articles of association so subscribed and acknowledged must be filed for record and recorded in the office of the recorder of deeds for the District of Columbia, which officer must, upon the filing, make and deliver to the associates, or their agent, a certified copy thereof, noting on the same the day and hour of its issuance, from which time the association shall be complete and it shall have and exercise all the power for which it was formed.

SEC. 5. That a copy of any articles of association filed in pursuance of this act and certified by said recorder of deeds shall be received in all courts and other places as prima facie evidence of the facts therein stated.

SEC. 6. That every association formed under this act must, within ninety days after filing the articles of association, adopt a code of by-laws for the government of the association, not inconsistent with the Constitution and laws of the United States. The assent of members representing a majority of the capital stock or property subscribed, if there be a capital stock or property subscribed, or a majority of the associates, if there be no capital stock or property subscribed, shall be necessary to adopt by-laws.

SEC. 7. That any such association may, by its code of by-laws provide for—

First. The time, place, and manner of calling and conducting its meetings.

Second. The number of members of the association which shall constitute a quorum.

Third. Voting by proxy if it is so desired, and the mode and manner thereof.

Fourth. The number of managers, the time of their election, their term of office, the mode and manner of their removal, and the power and authority thereof.

Fifth. The compensation, if any, of the managers.

Sixth. The number of the officers, if any other than the managers, and their tenure of office.

Seventh. The mode and manner of the transfer of shares and the succession in membership.

Eighth. The restriction, if any, upon the transfer of shares, membership, and rights in the association, and the limitations as to the amount of interest to be held by any one or more of the associates.

Ninth. The mode and manner of conducting business.

Tenth. The mode and manner of conducting elections.

Eleventh. For assessments upon the moneyed capital subscribed, if any, or for the installments to be paid at stated periods, or for work to be done; the mode and manner of enforcing the payment of such assessments or installments, or doing work, or for forfeiting or selling the shares or interest of any member of the association delinquent for such assessments, or installments, or work.

Twelfth. Such other things as may be proper to carry out the purpose for which the association was formed.

SEC. 8. That the by-laws adopted must be signed by a majority of the associates and recorded in a book to be kept in the office of the association, and a copy of such record, duly authenticated by the seal of the association, if any, and signed by the keeper of such record, must be filed in the office of the recorder of deeds of said District. The by-laws may be repealed or amended or new by-laws may be adopted, at any meeting of the associates, by a vote of members representing two-thirds of the capital stock, if any, or two-thirds of the property devoted to the enterprise, if any, or if labor alone is devoted to the enterprise, then by two-thirds of the persons composing such association; and the amendments, revisions, and new by-laws shall be recorded and filed in the manner provided for recording and filing the original.

SEC. 9. That every association formed under this act shall have power—

First. Of succession by its associate name for the period of ninety-nine years.

Second. To in such name sue and be sued in any court.

Third. To make and use a common seal and alter the same at pleasure.

Fourth. To purchase, hold, and convey real and personal property, as the purposes of the association may require.

Fifth. To appoint such subordinate officers or agents as the business may require, and to allow them suitable compensation.

Sixth. To admit associates, and to sell or forfeit their interest in the association for the purposes of paying assessments or in default of installments or of work or labor required.

Seventh. To enter into any obligations or contracts essential to the transaction of its affairs or for the purposes for which it was formed; but such association shall not have power to issue bills, notes, or other evidences of debt, upon loans or otherwise, for circulation as money.

Eighth. To do all other things proper to be done for the purpose of carrying into effect the objects for which the association is formed.

SEC. 10. That two or more associations formed and existing under the provisions of this act may be consolidated one with the other, upon such terms as may be agreed upon in writing by members representing two-thirds of the capital stock, if any, of each association, or two-thirds of the property, if any, of each association, or if neither capital stock nor property, then two-thirds of the members of each association, in which case articles of consolidation shall be prepared and filed in the same manner and form as the original articles of association, and with like effect; and from and after the filing of such articles the associations comprising the component parts of the consolidated association shall cease to exist and the consolidated association shall succeed to all the rights, duties, and powers of the component associations, and be possessed of all the rights, duties, and powers prescribed in the articles of the consolidated association, and shall be subject to all the liabilities and obligations of the associations component parts thereof.

SEC. 11. That all associations formed and existing under this act are required to keep a record of all their business transactions, which record shall be subject to inspection by any of the members thereof, and a copy thereof shall be prima facie evidence of the facts therein stated in all courts and other places when offered in evidence.

SEC. 12. That in addition to such records full books of account must be kept, showing the names of the members of the association, the amount of the capital stock, if any, the property, if any, belonging to the association, and all other things proper to show the condition in every respect of the affairs of the association.

SEC. 13. That no member of the association shall be individually or personally liable for any of its debts or liabilities except in case he has subscribed to the association moneyed capital, and in that event he shall be liable on such debts and liabilities for the amount of the unpaid portions, if any, of such subscriptions; and all the property of the association and all unpaid subscriptions, if any, shall, in case of the failure of such association to meet any of its obligations, be liable—

First. To the payment of all debts due to persons not members of the association.

Second. After the payment of all debts not due to the members of the association, then for any balance due to the members of such association. And the property of such association may be taken in satisfaction of any judgment obtained against it in the same manner as the property of an individual. The interest of any member in such association may be levied upon and taken in satisfaction of any judgment against him in the same manner as the share of a partner in a partnership may be taken, and the purchaser

at any sale made under such levy shall succeed to the interest of the associate against whom the process ran, subject, however, to such limitations as may by the by-laws of said association have been provided for in relation to succession.

SEC. 14. That the right of any association claiming to be organized under this act to do business may be inquired into by quo warranto, at the suit of the Attorney-General of the United States; but the right of an association claiming in good faith to be organized under this act, and doing business as such association, shall not be inquired into in any collateral proceeding, nor shall its right and authority to do business as such be questioned except by the aforesaid proceedings, in the nature of quo warranto, at the suit of the Attorney-General of the United States.

SEC. 15. That this act having been passed to promote the association of individuals, and to induce them to combine their capital or labor for their mutual welfare and the public good, therefore the rule of the common law that statutes in derogation thereof shall be strictly construed shall have no application to this act, but its provisions must at all times be liberally construed, with a view to effect its object and to promote its purposes.

SEC. 16. That this act shall be in force and effect from and after its passage.

9

THE MEANING OF THE UNIVERSITY

AN ADDRESS

AT

LELAND STANFORD JUNIOR UNIVERSITY

ON

FOUNDER'S DAY, MARCH 9, 1894

BY

HORACE DAVIS

SAN FRANCISCO

1895

THE MEANING OF THE UNIVERSITY.

It is a happy suggestion to set apart one day in the year to commemorate the wisdom and generosity of the founders of this great institution. One living example of public spirit like this is worth a library of sermons. As Governor Stanford said in his address on the opening day of the University, speaking of the influence of the teacher upon the student, "By precept the road to learning is long, but short and sure by example." Action is worth more than precept. Life moves us more than philosophy, and every generous act repeats itself on a larger or smaller scale, as the case may be; and the world profits by the lives of its heroes, long after they have passed away.

But I do not stand here to eulogize these noble gifts. Their monument is around you. Their worth has been expressed by better tongues than mine. I would rather devote the time allotted me to the leading incidents of Governor Stanford's public life, as illustrating the expressed intention of this noble endowment.

His genius was a practical one, and found its expression in deeds, rather than in words. For over

thirty years he was the most conspicuous figure among the makers of this State, and he has definitely impressed his influence upon it. It was his good fortune to be made Governor of California in 1861, at the most critical period of its history. Those were indeed trying times. The bloody struggle between the North and South had already begun. The Federal troops had met with disaster at Bull Run. A large part of the people of California came from the States then in rebellion, and sympathized with the Confederacy. Other leading citizens openly favored the establishment of a Pacific Republic. In this turmoil of opinion, friend was arrayed against friend, neighbor against neighbor. Intense passion was aroused on either side; and we felt we were living over a slumbering volcano, which might break out any day and engulf us in the horrors of civil war on California soil. The firm hand, the cool judgment, and the executive ability of the Governor contributed largely to avert these dangers, brought out the Union sentiment, kept us from civil war at our very doors, and saved California to the Union. From a condition of doubtful loyalty, she became a firm bulwark of the Federal Government. Her gold, flowing into the coffers of the Treasury, strengthened the arms of the Central Government, and her generous contributions to the Sanitary Commission gave cheer and comfort to the wounded soldier.

Out of the experience of these trying years grew a sense of the priceless value of a powerful, stable government, and the duty of unswerving loyalty and good citizenship on the part of every thinking man—a sentiment which is reflected in that section of the University charter which defines as one of its purposes “to teach the blessings of liberty, regulated by law, and to inculcate love and reverence for the great principles of the Government.”

At the close of his term of office, he threw his whole heart into the building of the Overland Railway; and its speedy completion, in the face of discouragements and difficulties of the most formidable character, was due, in great degree, to his energy and executive power. In May, 1869, with due ceremony, the last spike was driven, and the great chain of rails was completed, binding the Atlantic to the Pacific. By this act California entered upon a new era of history. Up to 1869 she had been separated from her sister States by a twenty-five-day ocean voyage, and a transit of foreign territory. Now she could reach the National Capital in a week's journey over our own soil; and the Pacific Coast became, for the first time in its history, practically an integral part of the territory of our country. I lay stress on these two periods of the life of the State, because they were the two decisive points which controlled her future; and in each scene Governor Stanford was the principal actor, and his practical genius mainly shaped the result.

After that memorable day at Promontory, his life for many years was devoted to developing the system of transportation made necessary by the Overland Road. If his day had closed here, he would have been gratefully remembered for these eminent services. But its setting was clouded by a bereavement bringing unspeakable grief to his home. In the providence of God, this deep sorrow which fell upon his house was transmuted into inestimable riches for us. Out of the desolation of their own home came the resolve of the founders to consecrate this vast endowment to the benefit and blessing of the young.

I shall never forget that day in November, 1885, when this great trust was consummated, and the deed actually delivered to the trustees. We had been invited to meet the Governor and Mrs. Stanford at their home in San Francisco. They received us in the library, without pomp or parade. The trustees were all present except Judge Field and Judge Deady, who were delayed by official duties. There were present, also, a few of the Governor's official household. The grant of endowment was read. Governor Stanford followed its reading with a brief address, explaining their purposes in the grant. Mrs. Stanford expressed her cordial sympathy with the plan. The deed was formally delivered to the trustees, who subscribed to their acceptance of the solemn duty—and the University was founded. I have witnessed many solemn

ceremonies and pageants in my life, but no event is more deeply engraven on my memory than that simple transfer. Two years later, I was present at the laying of the corner-stone; and again, in 1891, at the ceremonies of Opening Day; but neither of these days impressed me as did that quiet scene in Governor Stanford's library.

When I came to carefully read over the grant of endowment, I was struck with some of its provisions which seemed to regard the higher education in a somewhat different light from what I had been used to. In the charter, the purpose of the University is stated to be the promotion of the public welfare. The education itself shall be conducted with a view to the general good. We have long recognized this principle in the common schools,—that *they* have no reason for being except as they contribute to the general welfare, and especially as they make good citizens; but here is a new departure in scholastic affairs.

"Its purposes," says the grant, "shall be to promote the public welfare, by exercising an influence in behalf of humanity and civilization, teaching the blessings of liberty regulated by law, and inculcating love and reverence for the great principles of government, as derived from the inalienable rights of man to life, liberty, and the pursuit of happiness;" * * * "its object, to qualify students for personal success and

direct usefulness in life;" while its nature and scope shall be those of a "University of the highest grade."

I am not going to discuss the methods of carrying out these propositions. They are in the hands of persons of mature wisdom and educational experience. They need no eulogy from me. The wonderful success of the University in its very infancy is in itself a vindication of their policy. But I would call your attention for a few moments to the "object" of the University, as stated above—"to qualify students for personal success and direct usefulness in life." This idea is again defined in the duties of the trustees—"to fit the graduate for some useful pursuit."

The central purpose of the endowment is to make good citizens. To this end, whether men or women, they must have a distinct vocation, for which they will need a technical training.

Second, they must be thoroughly grounded in the principles of our Government, and in the rights and duties attaching to all good citizenship.

Third, to all this is added a reverent attitude toward the Almighty Ruler, who is the author of all good, and the sustainer of the Universe.

I know of no educational endowment laid on a broader and more generous basis than this. It knows neither sex, creed, nor social distinction. And here let me call to your minds an interesting fact—that the first scholarship ever endowed in America was

the gift of a woman. Lady Ann Moulson, of London, in 1643, gave Harvard College one hundred pounds for a scholarship. It is a happy incident of this occasion that the endowment of this University, the highest single gift for educational purposes ever made in our country, conceived on the broadest and most liberal basis, should be shared by a woman. These, then, are the purposes of the founders: To make good citizens, trained to a purpose in life, with loyalty to the country and reverence for God. The idle man without a purpose is a leech upon society, whether he be among the gilded youth of the cities, or the tramp by the wayside.

Governor Stanford says, in one of his addresses, that there cannot be too much education. The broader you lay the foundations of his training, the better man the student will make. This proposition will not meet with universal acceptance. I have often heard men say that there is already too much education; that the ranks of the workers are now too much depleted, without any adequate addition to the thinkers and the leaders. Less than two years ago, I heard Andrew Carnegie maintain that a college education was a positive injury to a boy meaning to enter the practical walks of life.

To undertake an extended discussion of this subject would be out of place to-day. To my judgment the assertion is so plainly untenable that it seems like

threshing over old straw to refute it, but I may be pardoned one or two suggestions. The argument generally assumes one of two forms. Sometimes it is put thus: Vanderbilt and Jay Gould, and Abraham Lincoln and Edison, were self-made men; began at the bottom, and worked their way up, against obstacles; therefore, every boy should do the same.

The second form is this; I saw a Harvard graduate collecting fares on a street-car; *ergo*, a college education is useless in practical life. Now, I will admit that a college training will not help you to collect nickels on a horse-car. I will go farther, and admit it is of no use in some varieties of what we call business. If you want to gamble on the Stock Exchange or the Call Board, your professors can't teach you the principles; nor does the University develop the instinct of buying cheap and selling dear.

There is the breadth of the world between the faculties of different men. Some are born for ordinary laborers, and no culture could make them otherwise. Some of these enter college, and then they pass for cases of arrested development. They cannot grow, because there is nothing to grow. An apple-seed will never produce an oak. You can never get any more out of a man than is in him; and the man who sends his boy to college thinking wisdom can be pumped into him by professors, wastes his money and his hopes.

The reverse of this is true, also. Many a man is born with a genius for some pursuit. Jay Gould, by phenomenal sharpness, becomes a millionaire; Edison's brain teems from childhood with dreams of harnessing nature into a thousand new forms of usefulness; while Lincoln, with a sympathy and a wisdom that were above all teaching, except that of experience, felt every beat of the nation's heart, and guided her through her mortal peril with a wisdom that seems almost supernatural. Such men are born with a capacity for conquest each in his sphere.

I suppose a great deal of this prejudice against higher education is a legacy coming down from the time when the colleges taught nothing but Greek, Latin, and Mathematics. In those days there was a wide gap between academic education and practical life; but now there is no such divorce. More money is spent to-day on scientific education than upon classical, and there is hardly a vocation in life for which a boy may not lay a fitting foundation in college. And the better preparation he has, the more he can make of himself. The college will not give him brains, but it will show him how to use what nature has provided. The boy that goes into the shop may have the start in the beginning, but culture will tell in the long run.

I know of no more suggestive example of the power of technical training than the experience of our

country in the Civil War. Men from all walks of life offered their services to the country, many of them men of distinction, of whom some rose to places of great responsibility in the army; but when the war closed, those trusted with the highest command on both sides were graduates of West Point. Grant, Sherman, Lee, Sheridan, Thomas,—I need not extend the list; the technical training won in the end. A still better test is to look over the list of graduates of such a school as the Massachusetts Institute of Technology, and see what uniform success has come to them in after life.

There is a common prejudice that college men take no interest in politics,—that such a training unfits a man for political life. If this were so, it might be claimed that education does not make good citizens. But it is not so. The records of Congress show that about one-fourth of the members of both houses are college graduates, while another fourth have received a partial education in some college or professional school. Now, when we consider that in 1880 the whole number of college graduates as near as could be ascertained was less than one-seventieth of the adult male population, it amounts almost to an aristocracy, if they hold one-fourth of the seats in Congress. To put it differently, the chances of any graduate of this University becoming a Congressman or Senator, are eighteen-fold greater than those of his brother who had no college training.

But there is something a man gains by an academic training which is better than what we ordinarily mean by "success," better than a seat in Congress, or even than the riches of Jay Gould. It is the atmosphere of learning and letters which he there breathes in, whose power, if he have any affinity for culture, will inspire his whole life. The true success is to be measured by what a man is, not by what he does; and the trained mind, the love of learning, the society of the best men of all times, which a man gains by a liberal education, ought to make him a larger and a better man. Talk of the injury a boy sustains by receiving an education. Did you ever know a college graduate who was sorry he had been educated? No. I would give a boy all the university training he would take. That is an inheritance he can never lose; a fortune nobody can rob him of.

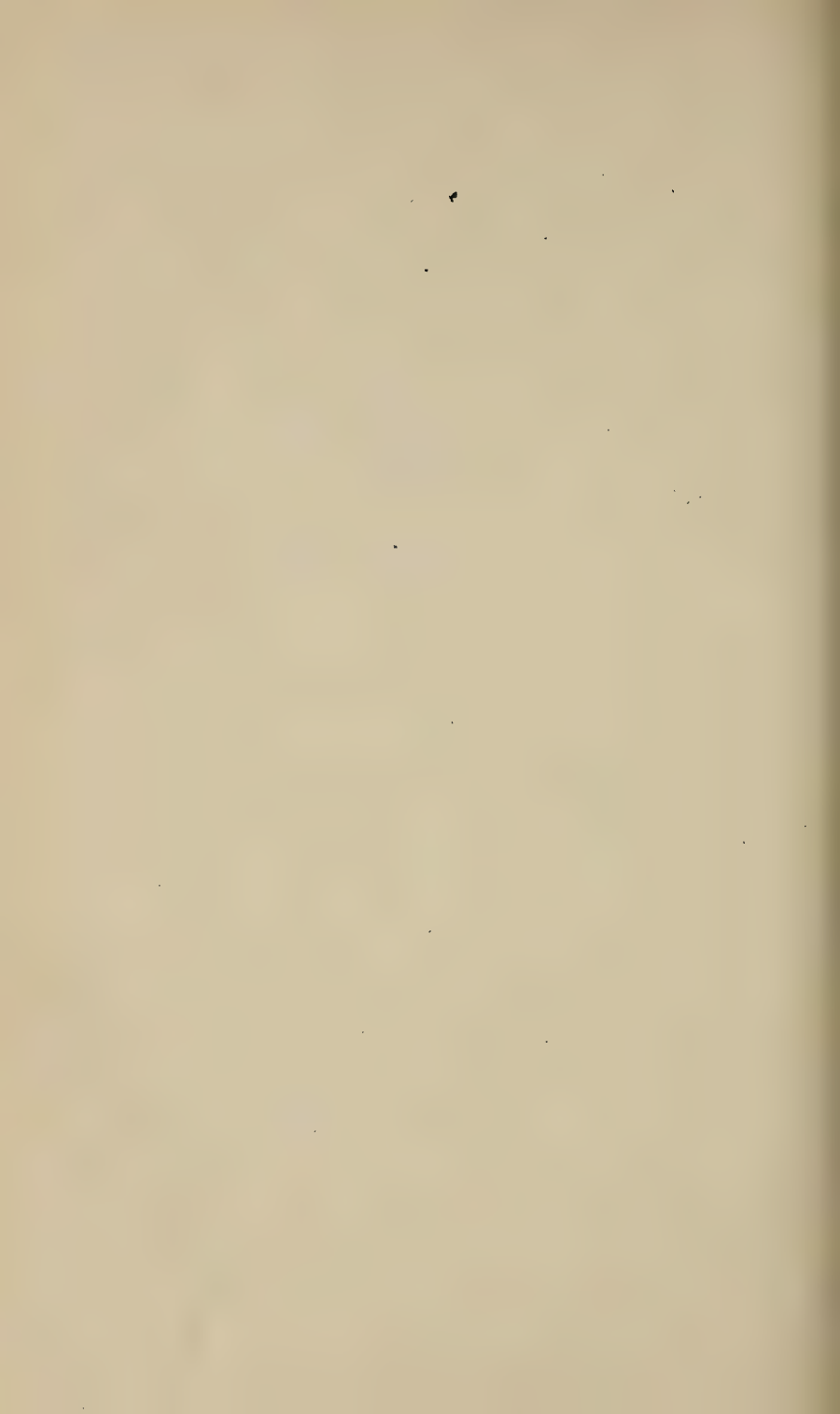
I have dwelt especially on the training in practical things, because our charter lays particular stress on the need of this. But it goes farther, and provides in express terms for a "University of the highest grade," specifying, among other things, "museums, galleries of art, and the studies and exercises directed to the cultivation and enlargement of the mind." Under these are included departments of philosophy and classical learning, while the ripe experience of the founders led them to insist that in the University should be taught, on the broadest unsectarian grounds,

"The immortality of the soul, the existence of an all-wise and benevolent Creator, and that obedience to His laws is the highest duty of man."

Poetry, art, and religion—these are the bloom and aroma of our existence; without them human life sinks to the level of a mere machine; the creaking of the wheels drowns the music of the spheres, and the dust of the highway shuts out the light of the over-arching sky.

I say to you as a practical man of affairs, immersed in business all my mature years, that in these higher pursuits I have found cheer and comfort through the trials of life. Do not neglect them. Cultivate the useful for your daily bread, but cherish the beautiful for the solace of your leisure hours. Cultivate the practical, but never lose your hold on the spiritual. The University offers you both. Indeed, it is the stamp of the true university that it must include in its range all sides of human learning and human experience.

And when it shall close its doors upon you, and you pass out upon the threshold of active life, you will complete the generous designs of the founders, filling your places in the world as faithful workers, good citizens, noble, well-balanced men and women, bringing satisfaction to yourselves and honor to your *Alma Mater*.



SPEECH

— BY —

M. M. ESTEE

DELIVERED BEFORE THE

FARMERS AND BUSINESS MEN AT THE NORMAL SCHOOL HALL,
AT SAN JOSE, AUGUST 15, 1895, ON

The Relation of Gold and Silver to Practical Business.

MR. PRESIDENT, LADIES AND GENTLEMEN:

The credit of this nation is the rock upon which it stands, and that credit can be sustained only by earning money, not by borrowing it. Credit is the result of confidence, and confidence comes with prosperity. That people which has the largest amount of good money in actual circulation has the most potential instrument of trade and commerce, and is the most prosperous. This is so because all values of property are fixed by money, and, when there is a great deal of money in circulation, property sells at a better price than when there is a little.

It being admitted that an abundance of good money is beneficial, and that there is a great deal of silver money in actual use, we next inquire—Is silver good money? Is it a necessary money? The answer is—there is not gold money enough to carry on business or to sustain public and private credit and maintain the prices of products, and so we must have silver. American gold and American silver coin are both honest money; both perform an important function in the monetary world; both are in universal use; both are the coin moneys of the Constitution. They have both been the moneys of the past, and should be the moneys of the present and of the future.

According to the report of the Director of the Mints made on November 1, 1894, there were \$626,000,000 of gold in the United States, \$1,170,000,000 of all kinds of paper money in actual use in our country, and about \$625,000,000 of silver, all of which silver was coined according to law. And if coined silver is not honest money, then the law which permitted it to be coined has led this government to practice a fraud upon the people. If it is not honest money, the Constitution of our country is not an honest Constitution, because it expressly says: "No State shall make anything but gold and silver a tender for debts." If it is not honest money, then every American citizen is daily practicing a fraud upon his fellow man, because he hourly receives and pays out silver money.

THE GENERAL USE OF SILVER.

The fact is, we have published to the world a financial lie when we said silver was not honest money. The best test of this is to go to the people themselves and see what money they use most. I assume this is a representative audience, composed both of gold people and silver people. And yet I am sure there is not one man in fifty, in this building, who has any money at all but has some silver money. Ask yourselves, is it good money? Is it honest money? Do you receive and pay it out as money?

If that is true with you, is it not true with all the Ameri-

can people? And if it is honest money here, is it not honest money all over our country? Yet Wall street will not let silver pass through the clearing house because they say it is not honest money. And yet they use as much silver as any other class of people. But they answer they only use it in small amounts. Does that signify? Is it any less a wrong to rob a man of one dollar than to rob him of a hundred dollars? We submit silver is in more common use than gold, and for this reason, if for no other, it should not be demonetized.

OPPONENTS OF SILVER.

Several times during the existence of this Republic, the money question has become a paramount issue before the country, and each time it has become so through the action of those who controlled money. This was conspicuously so under the administration of President Jackson, when the combined money power undertook to manipulate both the legislative and executive departments of the nation. And at each monetary crisis in our history Wall street has been a dangerous, because an interested and selfish, adviser of the government. That great moneyed center still assumes to control our national finances, and still advises what to do. It makes money in this way. Indeed, during the past winter, when Mr. Carlisle borrowed a hundred millions of gold by selling U. S. Bonds to a combination of Wall street and English bankers, that syndicate made a clear profit of ten millions of dollars by the transaction, and they claim to have saved the country by doing it; but every time they save the country, they enrich themselves. Do we then wonder that these great money kings are for a single gold standard when they make such profits in handling gold? Under the circumstances would it not be natural for them to favor gold and oppose silver?

It is now an open secret that our great government made the humiliating arrangement with this syndicate, that it would protect the national treasury. Imagine three banking houses protecting 70,000,000 of people, and then imagine

the sort of protection the people will thus get. For instance: The United States Government on the one hand, and Morgan & Co. and Belmont & Co. of New York, and Rothschilds of London on the other agreed (I quote from the contract)—“That the syndicate would exert all its financial influence and would make all legitimate efforts to protect the treasury of the United States against the withdrawal of gold pending the performance of the contract.” The contract referred to was a contract to place \$100,000,000 of U. S. Bonds. It is not saying unkind or unfair things of these bankers to say that they would be superior to the rest of mankind if, in view of these facts, they were not single gold standard people. The government practically bribed them to favor gold, and we bribed them not to make a run on the national treasury “pending the sale of these bonds.” So these very people are now leading the single gold standard fight in the United States, and they are the men who say silver is not honest money. It should be remembered, also, that this syndicate previously drew a part of this same gold so furnished the government out of the national treasury, by surrendering currency held by it, and then sold it back at a premium in purchase of its bonds. It is true the contract provided one-half should be imported gold, but they brought back American gold. If our currency, when presented to the U. S. Treasury, was redeemed in GOLD AND SILVER (as the law prescribes), Wall street could not speculate in American gold. In a word, this syndicate created the necessity for the loan, and then made it on its own terms. This syndicate and other monetary institutions of the east have been the chief causes of depleting the gold balances in the national treasury, by taking our paper money to the treasury (which paper is redeemable in both gold and silver) AND DEMANDING AND RECEIVING GOLD ONLY. They ship this gold to Europe, and then raise the alarm that the gold reserve is below the limit, and thus create a panic. This never could be done if gold and silver were both used as redemption money. By these means it has become the custom of these monetary princes to create an exaggerated

demand for money and then supply that demand at an enormous profit. In following out this practice, the money speculators have made the only Black Fridays in the history of this country. They have gambled away national and private credit alike, and shamelessly attacked both at their pleasure. They claim to save the credit of the nation, when the fact is they have grown rich by destroying it. Under the cry of honest money, they have become the financial enemies of the American people. Wall street would be nothing but for the great country standing back of it. Thus, our national credit and our national honor are sustained only by the producing classes; it is the products of the farm and of the factory, and the labor of the American people, which has builded this great republic and sustained its credit, and which in peace and in war maintains its honor.

This is not an argument against banks or bankers, for both are useful and necessary; but it is an argument against those banks and bankers who are not engaged in legitimate banking; the fact is, in recent times, Wall street has become a danger signal *to every man who owes a dollar or who is not worth a million dollars*. It makes its money by speculation, and not by creation, and it prospers most when the people prosper least. It is for gold and against silver—not because that is right, but because it is to its interest. We admit that gold is the money of the rich, and silver is the money of the people; but both are necessary money metals—neither should be demonetized.

POWER OF CONCENTRATED WEALTH.

We had bi-metalism in the United States for eighty years. During that time wonderful progress was made by the American people. In many respects it was the most eventful period in the world's history. It was during that epoch that Robert Fulton invented the steamboat; that Eli Whitney invented the cotton gin; that Benjamin Franklin drew electricity from the clouds, and Morse and Field made it talk over and under the sea. Brush and Edison utilized it for light and power; Westinghouse invented the airbrake;

Howe discovered that with the eye of a needle in the point he could sew by machinery, and McCormick solved the mystery of harvesting by horse and steam power. This same epoch in American history, however, imperceptibly lead up to the demonetization of silver and to combinations of corporate capital hitherto unknown in any age, and thus *great trusts and organized wealth have become a resistless power in the land.* It is an admitted fact that corporations now monopolize alike the luxuries, the comfort and the necessities of life. Single or combined corporate institutions practically supply our country with telephones, with electric lights, with sugar, with coal oil, with meat, often with bread, and always with transportation by land.

Money has thus become more and more powerful as wealth is more and more concentrated. The growth of corporations and mono-metalism have silently advanced together. A single gold standard tends to concentrate money in the hands of the few. The only hope is for the people to speak. Universal suffrage is claimed to be a remedy for these evils, but this even is not always a remedy. Says Mr. Justice Brown, of the Supreme Court of the United States, in the "Forum" for August, 1895 :

"Universal suffrage which it was confidently supposed would enure to the benefit of the poor man is so skillfully manipulated as to rivet his chains and to secure to the rich a predominance in politics."

"In no country in the world" (says the same author) "is the influence of wealth more potent than in this, and in no period of our history has it been more powerful than now."

The power is with the people—will they use it?

Ninety-nine out of every hundred of our citizens are comparatively poor people. The problem of wise government is to promote the interests of the many who have small means rather than the interests of the one man in a hundred who is rich. It is admitted no commercial country can be prosperous without rich men, nor can any country be prosperous unless opportunities are afforded the poor to get rich.

Says Mr. Justice Brown :

“ If wealth will not respect the rules of common honesty in the use of its power, it will have no reason to expect moderation or discretion on the part of those who resist its encroachments.”

Thus the responsibilities of wealth become greater as money is centralized. In this connection it should be said that a vast majority of the plain people, the producers and the workers of our country, are in favor of both gold and silver as money metals ; they are wisely opposed to the centralization of the money power ; and yet it is a painful fact, and should be emphasized, that a majority of the money-lenders, and nearly all the corporate trusts and combines in the Eastern States, are in favor of gold and opposed to silver money. Gold and silver are both the money metals of the Constitution of the United States. Silver has the law on its side ; but law without the power to enforce it can accomplish but little. The Act of Congress demonetizing silver was in violation of the organic law of the land, contrary to the traditions of the past, and, as we believe, dangerous to and destructive of the best interests of the great masses of the American people, but that Act became a law and is now in full force, and the courts have not been called upon to pass upon its constitutionality.

‘ BOTH GOLD AND SILVER NECESSARY.

Has prosperity been the result of this legislation ? The last two years have been hard years for the American producer—the hardest within our recollection. When left alone we are the richest, the most independent and the happiest people on the earth. We produce more than any other like number of people on the globe, and still our prosperity depends more on what we sell our surplus products for than on the amount we produce. And we cannot maintain prices for our products unless we have an abundant metallic money to facilitate the sale and marketing of commodities. Thus any decrease in the amount of our metallic money lowers prices and injures the producers.

Money being a symbol of wealth, and the most potential means of trade and commerce, must be good in quality and abundant in quantity. Gold alone can never be abundant. Gold and silver together can be abundant without being worthless or without causing undue inflation. Gold is the most valuable, and silver the least valuable. One is the money most hoarded, the other the money most used; yet both are necessary money metals. Neither can be dispensed with. This nation can no more destroy the money of the poor and prosper than it can destroy the poor themselves and prosper. You can no more deprive the masses of the American people of the means of existence, and expect them to continue peaceful, than you can deprive them of liberty and expect them to be contented, law-abiding citizens.

All government is intended for the benefit of the governed, and that government is the best that does the greatest good to the greatest number.

American mines produce both metals, and more than one third of all the gold and silver of the world. Add to this the fact that our territory is vast, our industries varied and our people scattered, and it will be seen that it is rational for us to make money of both metals. We need more money than any other people, and we need more metallic money because it is more stable and better known. It is the uses to which money is applied, and not the mere possession of it, that most benefits the people. We have more varied industries than European countries, and so we have more demand for money.

OUR WEALTH CONSISTS OF INNUMERABLE SMALL THINGS.

Our internal commerce, which is nine-tenths of all our commerce, consists of a vast number of small transactions, and, as silver is the money of small transactions, it thus becomes the money most in use by the masses of our own people, and what most benefits the masses of the people most benefits the country. The small gains of the many are infinitely more useful to the country than the large gains of the few. This is not an argument against capital nor against

capitalists. Capital is necessary, capitalists are necessary, and an industrious thrifty people is necessary to the growth and prosperity of a great country. The people are not opposed to good money, nor to banks or bankers—we need all of them—but we demand that no single interest shall be built up by destroying all others.

PRICE OF PRODUCTS AND VALUE OF SILVER.

Since the demonetization of silver in 1873, the prices of products and the value of silver bullion have paralleled each other. The following table illustrates this fact in a very marked degree:

YEARS.	BUSH. WHEAT.	LBS. COTTON.	OZ. SILVER.
1872	\$1.40	18.0	\$1.32
1873	1.25	18.2	1.29
1874	1.25	15.0	1.27
1875	1.10	15.0	1.24
1876	1.20	12.9	1.15
1877	1.17	11.8	1.20
1878	1.30	11.1	1.15
1879	1.07	9.9	1.12
1880	1.25	11.5	1.14
1881	1.11	11.4	1.13
1882	1.19	10.8	1.13
1883	1.13	10.5	1.11
1884	1.07	10.6	1.01
1885	.86	9.9	1.06
1886	.87	9.5	.99
1887	.89	9.8	.97
1888	.85	9.9	.93
1889	.90	10.1	.93
1890	.83	10.0	1.04
1891	.85	8.7	.90
1892	.80	8.8	.86
1893	.63	7.0	.72

It will be noted from the above table, that in 1872 wheat was worth in Chicago \$1.40 a bushel, cotton 18 cents a

pound and silver \$1.32 an ounce. In 1893 wheat was worth 63 cents a bushel, cotton 7 cents a pound and silver 72 cents an ounce.

According to the Report of the Director of the Mint, the amount of gold and silver and paper money in circulation in the United States on the 1st of November, 1894, was as follows:

Gold.....	\$ 626,632,078
Silver.....	625,335,551
Paper money	1,170,190,080

Gold, per capita, \$9.09.

Silver, per capita, \$9.08.

Under the law all paper money is redeemable in *gold and silver*; and, so long as that is the law, silver is of necessity a redemption money.

ONE OF THE PERILS TO AMERICAN FINANCES IS THE FACT THAT
WE OWE TOO MUCH MONEY ABROAD.

In the beginning we commenced the dangerous practice of borrowing from abroad. We had limitless undeveloped resources and but little actual property. Before us was a vast and unexplored continent; behind was the trackless ocean which separated us from the old world. The wealth of the new land was boundless, and yet we were poor because we had not developed that wealth. And so we commenced running in debt. This seemed to be wise and necessary. We were accomplishing wonders, but we were doing it at the expense of generations to follow us. We knew then, as we know now, that a well governed people must be prosperous, and that our finances, like our commerce, must be made to fit our situation. We are a continental nation—a world within ourselves. Our conditions differ from those of other peoples. We have always been making towns and cities, railroads and other public highways, school houses and churches, building factories and cultivating the soil. We are creators, not imitators. We

are constructing new things, instead of using old things which are already made, and, in this process of building, we have become a debtor nation. We owe vast sums of money to the older and wealthier portions of our own country and to foreign nations. We have in the past been paying these debts and the interest thereon from our surplus products; but recently we have had no surplus to pay our debts with, because our products did not pay for their production, so we have had to pay in money; and the more money we have sent away for these purposes, the harder times have become at home. And thus, while we needed more money than at any other period in our history, the gold people wanted us to have less.

The gold people seem to admit that we must have silver, but they say it is impossible unless we have an

INTERNATIONAL MONEY SYSTEM

which would be as difficult to secure as an international form of government or an international language.

It has always been the custom of each nation to coin its own money and regulate the value thereof, and each nation will continue to do so, *for coin is money only within the country which makes it.* The material of which it is made sells everywhere as a commodity, and, like all other commodities, its value is fixed by supply and demand. The stamp of the government which makes the coin does not enhance or depreciate the value of the coin itself outside of the country so stamping it. Gold and silver are, therefore, commodities. Wheat is a commodity. Can a congress of nations permanently fix the value of wheat? It is as likely to do one as to do the other.

Under our laws at this time you can take gold to our mints and have it coined into money, but you can't take silver there and have it coined into money, and yet the greatest gold man in the land pays out silver many times when he pays gold once. And that same gold man says it is not honest money, and he will pay this same bad money

to the man who blacks his boots or drives his carriages. This he calls "honest dealing."

The United States Constitution contains broad and far reaching provisions prescribing the internal policy which should prevail in the American Republic, including that of finances.

The coining of American money, with new denominations of value and new names given to each coin, was one of the first steps taken by this nation to show its national independence. This system of coinage continued until 1873, and it cannot be changed unless we change the Constitution.

GOLD AND SILVER ARE THE CONSTITUTIONAL MONEYS OF OUR
COUNTRY.

The Constitution of the United States prescribes that :

"The Congress shall have power to coin money and regulate the value thereof;" and that "no State shall make anything but gold and silver a tender in payment of debts."

Under this plain constitutional provision a State can make both gold and silver a legal tender. But it cannot make one a legal tender and prohibit the use of the other. Both metals were selected by the builders of our government as the necessary money metals of the nation.

Congress has no powers except such as are conferred upon it. The States retain all the powers not expressly taken from them. The general government coins money, and it coins the money that the Constitution prescribes, but the States are authorized to make gold and silver only a legal tender in payment of debts. In a word, the States can indicate the purposes for which the money so coined by Congress can be used, but Congress cannot, by refusing to coin gold and silver, prevent the States from establishing a legal tender which the Constitution directs.

When Congress is given power to coin money it is only those kinds of money which the same instrument says shall be a legal tender in payment of debts. It is true the Supreme Court has decided that Congress has the power to

make paper money a legal tender, but Congress has not the power to demonetize any money which the States may also declare a legal tender ; *nor is there anything in the Constitution which directly or indirectly gives to Congress the authority to demonetize any constitutional coin.* It may coin money, it may coin gold and silver, but nowhere is Congress given the power to destroy gold and silver as money.

Silver is, therefore, one of the money metals of the Constitution, and yet people who would destroy it as money declare that we who lean upon the Constitution of our country as the "anchor of our hope," are attacking the rights of property by making a constitutional money our money. In fact, when these people are destroying everybody's property but their own, they claim that those who oppose them are attacking the rights of property.

The strongest argument made by the gold people is, that silver is so much cheaper as a metal than gold, and the price of silver has so deteriorated in value, that it has become a commodity, and has ceased to be a money metal.

SILVER A COMMODITY.

If we admit this, it means that because silver is cheap as a metal, we should do everything we could to make it cheaper. Treating American silver as a product of American mines, and not as a money metal, the gold argument is unjust. Imagine a combination of people who would attempt to destroy one of the great productions of our country by lowering its value so that it could not be produced. Take pig iron, coal, copper, or take any of the products of the farm—wheat or corn—and the fallacy of the position assumed by those who believe in gold only as a money metal is most readily seen; because it must be remembered we must have silver money in some form. We cannot carry on the business of the country on gold alone.

Think of the dealer in wheat attempting to drive out of the market all the corn because it is cheaper, or the dealer in coal attempting to destroy the value of all the iron because it is dearer.

Silver is a commodity, except at home and when coined into money. Gold is equally a commodity, except at home and when coined into money. Iron and coal are commodities. It is only the coined money (and in the country which coins it), which is not a commodity. Gold and silver bullion is no different from wheat, except that it is of greater value. It sells for what it will bring in the market, and not for what it is stamped, as money, when sold beyond the country that makes money of it.

NO FOREIGN BALANCES.

Being a debtor nation, we have no foreign balances in our favor, and when our exports do not largely exceed our imports, money leaves the country to meet the demands of our foreign creditors. In such an emergency, we need two money metals because we cannot retain our gold unless we are prosperous, and we cannot be prosperous unless we have some money for home use which we can keep at home, and we will have no redemption money when our gold leaves us, unless we have the free coinage of silver.

In times of prosperity we receive from abroad more money than we pay out; in times of business depression, we pay abroad more money than we receive from there. This is so because our foreign creditors become alarmed when we cease to pay; as we increase the amount and value of our imported luxuries, we have to pay for them in money which goes out of the country, and when we join our foreign creditors in undervaluing one of our money metals, we destroy our ability to pay, and thus lower our credit. Under present conditions gold goes out of the country in the same ratio as the excess of imports comes into it, and so we will have no metallic or redemption money left for home purposes. To add to our misfortunes, the gold people are slandering one of the money metals—silver—by saying it is not honest money. It would be no worse to say the American people are not honest people because every man uses more or less silver—pays it out and receives it as money.

The creditor is trying to increase the value of money by making it scarce, the debtor to increase the value of commodities by making money abundant. One is defending our industries and the great mass of the plain people who have their fortunes yet to make; the other is trying to double the fortunes already made by enhancing the value of money due them by the producers and workers of the country.

Anomalous as it may seem, yet it is true that a silver dollar in the United States, a silver shilling in England, or a silver five franc piece in France (although silver is not recognized in either country as redemption money) will buy just as much as so much gold money. England has more than a hundred millions of dollars of subsidiary silver money in actual circulation; France has more than five hundred millions; the United States fully six hundred and twenty-five millions; yet by law, in all three of these countries, silver is not a redemption money; it is demonetized, and the standard of value is fixed by gold. In other words, silver is good enough to buy a loaf of bread, to pay the farmer for a pound of butter or a bushel of wheat, or to pay the laborer for a day's work; but it ceases to be sound money to pay our debts. This is not honest.

SILVER IS SOUND MONEY AMONG THE PEOPLE WHO WORK;

but it is unsound money among the speculators.

Remember, the ability to pay our debts depends on the price of our commodities. It takes just as much work to raise a pound of fruit or a bushel of corn, to raise a sheep or a steer to-day as it ever did; but none of these products of the farm will pay as much debt to-day as they would pay before silver was demonetized.

It thus seems clear that the workers and producers are made to suffer, while the speculators are benefited by the demonetization of silver.

This money contest is, therefore, a war between the uses and value of money and the prices of products.

Every producer knows he is not making money; every farmer and laborer knows times are hard; that money is scarce and difficult to obtain, and that prices are low. Every man who is in debt (and most men are) knows how difficult it is to make both ends meet. Every honest man wants to pay his debts, and so he is looking for a remedy for these admitted evils, that he may be able to do so; but the creditor class seems unwilling to assist him in this effort.

To fully appreciate the effect of the demonetization of one of the money metals of our country, it must be borne in mind that

THE PRESENT INDEBTEDNESS OF THE PEOPLE OF THE UNITED STATES,

of every kind, is about eighteen billions of dollars. This includes the national, State and municipal debts of two billions, the bonded indebtedness of the railways and other corporations, exceeding five billions, the mortgage debts on private lands, amounting to five billions nine hundred millions, and the bank indebtedness of three billions one hundred and fifty-eight millions of dollars. The balance is miscellaneous. Of this vast indebtedness, more than two billions three hundred millions of dollars is held in Great Britain, Germany and France, the principal and interest of which is wholly payable in gold; and yet it can never be paid in gold because we have not gold enough. It must be paid, if paid at all, in our excess of exports over our imports; and therefore it cannot be paid unless our people are prosperous, because we can have no excess of exports unless we are prosperous. Fair prices for products and an abundant circulation of metallic money is necessary to secure prosperity.

The indebtedness of our country is increasing, if not in amount, in the increased purchasing power of money, while the means for paying our debts is decreasing, because the products of the farm and of the factory bring less and less, as the purchasing power of money becomes greater.

In a Republic like ours the great danger to free institutions is the

UNDUE EXALTATION OF WEALTH

and corrupting influence of the combined money power.

It is true that in our country there are no class distinctions by reason of birth, but there are distinctions among our people even more dangerous, namely: those distinctions which arise between the rich and the poor, between wealth and poverty. This cannot be stopped, but it can be ameliorated by giving to every man an equal chance in the struggle of life. The single dollar and the million dollars should have the same relative value and be equally protected by the law.

This is a commercial age, and the people of the world are devoted to money making. The older civilizations have the accumulations of ages to live from. They are intuitively in favor of increasing the value of what they have to sell—money. But the people of the United States are differently situated. We have nothing completed. We are not the mere users of the accumulations of the past. We are creating wealth by borrowing money to use in its creation, and are thus in debt. The question is, how can we best pay our debts?

DEPRECIATION OF VALUES.

The values of all property in the United States have within two years depreciated fully \$8,000,000,000. This would bankrupt any other nation, and it has nearly bankrupted this. What is the remedy for this remarkable depreciation in value? Continuing the gold standard is but an aggravation of the disease, for we cannot pay in gold, even if the single gold standard were continued. There is not gold enough. We must have some other money. Silver is the next in value. We can make no mistake in adding silver to our metal money and coining it as freely as we do gold. England, with all her commercial and financial advantages, cannot pay in gold. She pretends to do this. Her standards of value

are in gold, but she pays in checks, in balances, in anything but gold.

It is axiomatic that when products are cheap the debtor cannot pay, business becomes depressed, and both debtor and creditor suffer ; and under those conditions we need more money and cheaper money, and more products and dearer products, rather than dearer money and cheaper products.

THE PRODUCERS NEVER HAVE A SURPLUS OF MONEY,

but they have something to sell which in ordinary times will bring money. When there is a fair price for products the producers increase their output ; the demand for labor and the prices of labor increase, because the opportunities for work are enhanced. Money thus becomes abundant, and prosperity is inevitable. It is the opportunity to work which is all important to the laborer. Steady employment means remunerative employment. It is admitted that every man must earn money before he can get it. The trouble now is, he cannot get it after he earns it. The people who most need favorable legislation on the money question *are those who have their money to earn, and not those who have money to loan.* They are as a thousand to one compared with those who have money in bank.

Is it wise or honest for a debtor people to assist in demonetizing one-half of all the money in the world and thus decrease the opportunities for those who have no money to honestly earn some? Does any sane man believe that this would be advantageous to the industrial energies of our country? When silver was demonetized in 1873, it was at par. The demonetization of silver, when done, was not demanded by the people, nor is it demanded by them now. *If all our mints coined silver and nothing else, they could not turn out one dollar a year to each American citizen.* Would a dollar annually, for each of the whole American people, constitute undue inflation?

Money, like property, is parted with for a consideration, and that consideration is things. The cheaper the things

and the dearer the money, the more things the money will buy. And as only a few people have money and the great mass have things, the majority of the people are in favor of a good price for things and a reasonable value for money. No one wants inflation or contraction. Both are dangerous to the prosperity of a country, but inflation never did result from too much coined money.

Money is not wanted for itself alone, but for its uses, and if gold is not used by the people, it is of no value to them except as a symbol of wealth. Money is only a means to an end, but that means should not be exalted at the expense of the end to be attained. Its chief use is to promote business and commercial relations among the people by a convenient transfer of values. Nowhere, except in the west, is gold used for that purpose. In the eastern States gold is used solely for speculative purposes, and to stand behind the country's credit. Money can be either too valuable for use, or it can be of too little value and too abundant for use. Either extreme is dangerous to the business interests of the country and either imperils its credit.

The six hundred millions of dollars of gold in the United States is of no earthly account as money used in the commercial and business transactions of the people of this republic. It is only useful to make a standard of values, and it is an unfair and a false standard. With that limited amount of gold money, the standard of values of things can be made to fluctuate at the will of a few rich speculators; and thus there will be an absolute want of stability in prices. Indeed, that has been the result since we had a single gold standard. We never had hard times until the gold speculators got control of the money market.

To illustrate : If we should destroy all the greenbacks, all the silver certificates, melt up all the silver money, and leave nothing but gold in circulation as money, our country would be bankrupt. We could not carry on business an hour under those conditions. Then what is the result of our present financial system? We have one kind of money for use, to fix values and to pay our indebtedness, and

another kind of money for use at home among our own people to pay for products. We use depreciated money to pay for our home products and appreciated money to pay our old debts. We imitate English financial customs, without having the English accumulations of five centuries to stand behind us.

The business people of the United States have often suffered for not having enough coined money—gold and silver—but we challenge the contradiction of the statement that there has never been a time in the history of this country when we have had too much gold and silver.

We are just now feeling the full weight of the depression caused by the demonetization of silver in 1873. This is so because, since that time and up to three years ago, our exports generally exceeded our imports and our money stayed at home; and again, in a great country like ours, it takes time to destroy it financially. The struggle has been long and painful, but the end is certain and inevitable.

THE UNIT OF AMERICAN COINED MONEY IS THE DOLLAR.

It has always been the dollar—not five dollars, nor ten dollars, nor even twenty dollars—but one dollar, and that dollar of coined money has always been silver. It is true that, by the Act of Congress of 1873, the law of 1792 making the silver dollar our unit of value was repealed, but there has been no other coin to take its place; there is no other coin but silver that can take its place. In theory, the gold dollar fixes the unit of value; in practice, it is silver or paper. Since 1850 the world has produced in value about the same amount of gold and silver, and so it was not the excess of silver over gold that caused its demonetization in 1873. It is a fact, also, that in February, 1873, when silver was demonetized, it was at par as compared with gold. It will thus be observed that inflation exercised no influence in the passing of that act of demonetization. It was done purely and simply to decrease the amount of metal money and thus increase the value of what remained; thereby indirectly increasing the amount of our debts without increasing the opportuni-

ties to pay them. It was done to benefit the creditor class and to injure the debtor class, and it accomplished that purpose, whether intended or not.

The gold men argue that a given amount of gold money will buy as many things now as in 1873, because money has increased in value and things have proportionately decreased in value. But the answer is: this has caused hard times, and hard times are not best for the people. Stagnation in business follows the lowering of prices and taxation, and our debts do not shrink in amount as times become hard and money scarce. It takes just as much labor to work our farms now as when prices were good and we get one-half the amount for it. Mere theories cannot sustain a great industrial people. It is labor and the products of labor which enrich a country and make people happy and contented. Labor and its remunerative results come with good times and good times come with good prices. A falling market always produces hard times to those who are in debt and to those who have to work for their bread. To such people inflation is better than contraction. The only safety is in making laws for *the whole people*. If there is but one-half the money in circulation there ought to be, property is worth just one-half of what it ought to be, because the purchasing power of our money is doubled. No one gets money for nothing, but he gets more money for something when there is much money in circulation than when there is little. Non-circulating money is not useful as money.

GOLD LEAVING.

It is absurd to say that the free coinage of silver will drive gold out of the country. Gold is going out of the country now faster than we can borrow it, and the free coinage of silver will not facilitate its departure. On the contrary, it will cause it to remain here. Because, when we have the free coinage of silver and gold, our metal money will be largely increased, our domestic industries will be improved, the prices of products will be enhanced, and the

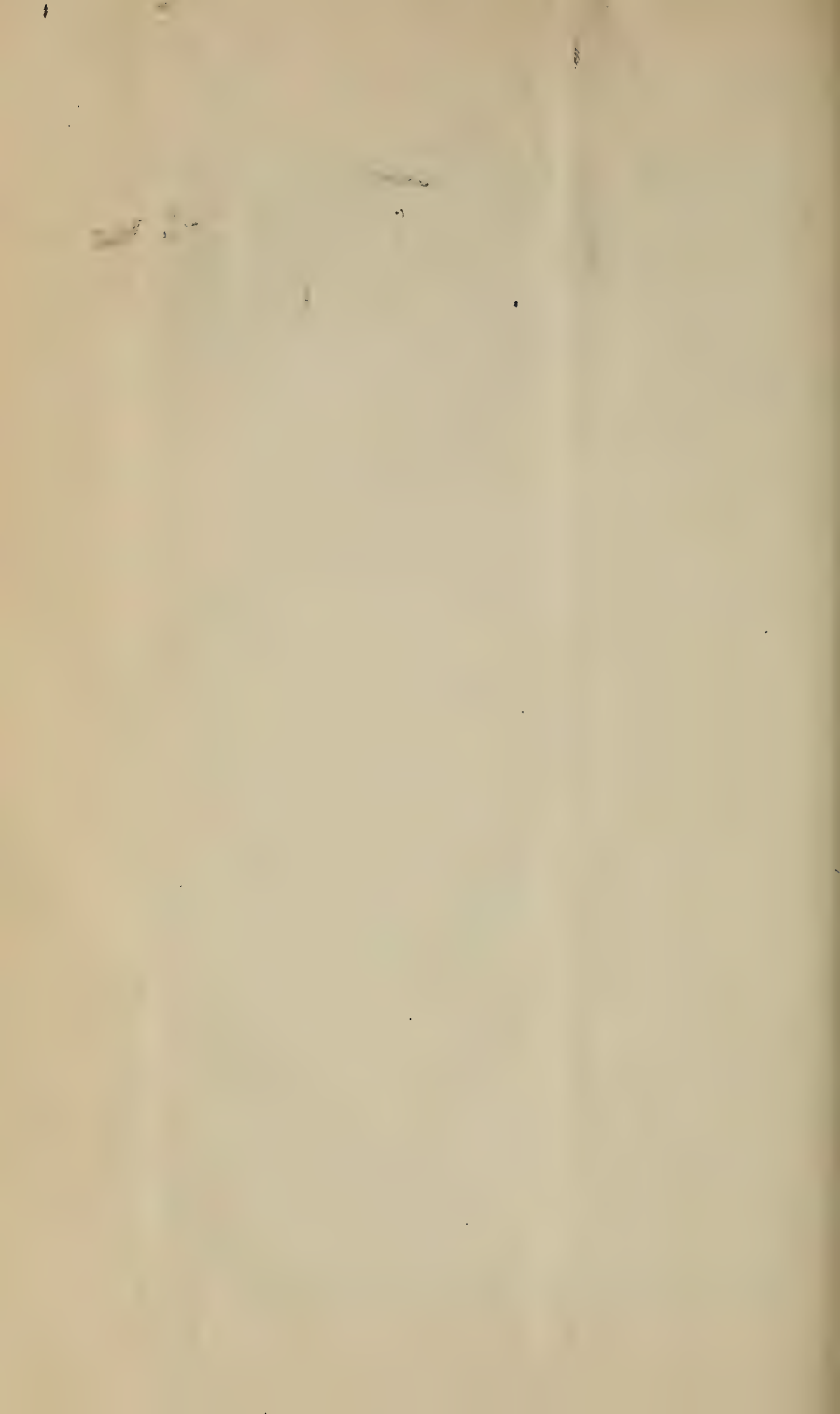
prices of labor will increase, our exports will exceed our imports, and better times will be inevitable. Money will flow into the country instead of flowing out of it, because confidence will be re-established, and confidence is the pulse of prosperity.

The present financial situation demands calm and deliberate consideration. We are not now inquiring how the Act of Congress of 1873 demonetizing silver was passed, or who was to blame for its passage, or whether it was done openly or secretly. The fact that it was passed is bad enough. We are seeking remedies for existing evils, and not for reasons why they were imposed upon us.

We are conscious of the power of money in moulding public opinion. We know capital is always organized. We know that to get money honestly is the universal desire of good men; to get it dishonestly, is the practice of bad men. But the great battle of life is to get money. It is the inspiration of every business enterprise. Money stands at the gates of commerce and opens or shuts them at its will. It employs the labor which fires every furnace, turns every wheel and cultivates every farm. It is the desire for money that makes man delve into the depths of the earth and bring forth the hidden treasures of God's creative work. It is that same desire which fathoms the ocean and places over its silent bottom the metallic messengers of thought. It inspires invention, and thus utilizes the unknown powers of nature; it gives to mechanics broader conceptions, to genius a defter touch. It dwells in the cells of every man's brain. It is the hope of the young, the pride of the old, and the ambition of all. The seductive influence of money sometimes makes justice blind and causes statesmanship to pause in its presence. For it, nation makes war upon nation, and the world has thus become a vast camp of armed men. Without money civilization is impossible, learning goes daft and refinement is lost in barbarism.

For these reasons, the man who has much money wants more. The man who has none wants some. Every human being is jostling every other human being in the struggle

for money. Is it then a marvel that the few who have money want to make it more valuable and thus injure the many who have none? This is human nature, but it is the wrong side of human nature. The American people are just, and when aroused will be loyal to truth by making the money of our Constitution the money of the people; and this can be accomplished only by the free and unlimited coinage of both gold and silver.



SPEECH.

OF

HON. STEPHEN M. WHITE,

OF CALIFORNIA,

ON THE

RULES OF THE SENATE,

DELIVERED IN THE

SENATE OF THE UNITED STATES,

JANUARY 10, 1896.



WASHINGTON.

1896.

SPEECH
OF
HON. STEPHEN M. WHITE.

The Senate having under consideration resolutions proposing certain amendments to the rules—

PARLIAMENTARY PROCEDURE OF THE SENATE.

Mr. WHITE said:

Mr. PRESIDENT: I desire at this time to offer a few remarks in enforcement of the position of those Senators who have heretofore insisted that there should be changes in the rules of the Senate looking to the more logical transaction of public business. I ask in this connection that Senate resolutions 14, 15, and 16, submitted by the Senator from New York [Mr. HILL], and Senate resolution 18, submitted by me, be read from the desk.

The VICE-PRESIDENT. The Secretary will read as indicated. The Secretary read as follows:

Amendment intended to be proposed by Mr. HILL to the rules of the Senate, submitted December 11, 1895:

"Resolved, That subdivision 2 of Rule V of the standing rules of the Senate be, and the same is hereby, amended so as to read as follows:

"If at any time during the daily sessions of the Senate a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll, and shall announce the result, and these proceedings shall be without debate; but no Senator, while speaking, shall be interrupted by any other Senator raising the question of the lack of a quorum, and the question as to the presence of a quorum shall not be raised oftener than once in every hour, but this provision shall not apply where the absence of a quorum is disclosed upon any roll call of the yeas and nays."

Amendment intended to be proposed by Mr. HILL to the rules of the Senate, submitted December 11, 1895:

"Resolved, That Rule IX be amended by adding thereto the following section:

"SEC. 2. Whenever any bill or resolution is pending before the Senate as unfinished business, and the same shall have been debated on divers days, amounting in all to thirty days, it shall be in order for any Senator at any time to move to fix a time for the taking of a vote upon such bill or resolution, and such motion shall not be amendable or debatable, and shall be immediately put, and if passed by a majority of all the members of the Senate the vote upon such bill or resolution, with all the amendments thereto which may be pending at the time of such motion, shall be had at the date fixed in such original motion without further debate or amendment, except by unanimous consent; and during the pendency of such motion to fix a date and also at the time fixed by the Senate for voting upon bill or resolution no other motion of any kind or character shall be entertained until such motion or such bill or resolution shall have been finally voted upon."

Amendment intended to be proposed by Mr. HILL to the rules of the Senate, submitted December 11, 1895:

"Resolved, That Rule XII be amended by inserting an additional clause, as follows:

"When upon a vote by yeas and nays it shall appear to the Presiding Officer, upon recapitulation and before the announcement of the result, that a quorum has not voted, he shall call upon Senators present who have not voted by name to vote, and shall direct the Secretary to add to the list of the Senators voting the names of the Senators present not voting, including those announcing pairs, or who may or may not be excused from voting, and to enter the same in the Journal; and if the whole number constitute a quorum, and

it shall appear that a majority of a quorum (or two-thirds of a quorum where the Constitution prescribes a majority of two-thirds) has voted on either side, the question shall be deemed to have been determined and the result shall be announced the same as if a quorum had voted."

Amendment intended to be proposed by Mr. WHITE to the rules of the Senate, submitted December 12, 1895:

"Resolved, That Rule XIX be amended by inserting at the end of paragraph 1 thereof the following: 'All debate shall be relevant and confined to the subject directly before the Senate.'"

Mr. WHITE. Mr. President, during the last Congress many resolutions suggesting alterations in the procedure of the Senate were introduced. Several were to the purport that Senators in addressing the Senate should be confined to the subject under inquiry; others that debates should be restricted; others that for the purpose of making a quorum every Senator actually present, or at least signifying such presence by announcing a pair or otherwise, should be counted.

So many propositions emanating from so many able sources ought to be enough, without further argument, to convince us that material departures from our present procedure must be desirable. Error long practiced is difficult of eradication. Habits grow upon us. The ability and public services of many of our members have compelled their return here time and time again. Pride, indisposition to retract opinions once expressed, unwillingness to accord to later generations the credit of improvement, have made it hard to effect reforms. More than this, the more venerable Senators have viewed as semisacrilegious the efforts of comparative novices to vary our fossilized processes. Perhaps it is hopeless to attempt the task now. However, I am somewhat encouraged, because not only is the twentieth century approaching, but I note that some of those who have heretofore opposed more businesslike methods have changed their views and are now anxious for revision.

The Constitution of the United States contains, inter alia, the following:

Each House may determine the rules of its proceedings, etc. (Article I, section 5, subdivision 2, Constitution.)

The rules now in existence, as far as mooted points are concerned, were formulated at a very early date, and I concede that the onus of showing a reason for alteration is upon those who seek to bring it about. This presumption might, indeed, be met and perhaps overcome by the admitted general demand, but as I will later on discuss the effect which the opinion of the public, and especially of our constituents, should have upon our acts, I will not now avail myself of this counter presumption. I shall endeavor to state generally the ground upon which I stand, and shall refer to analogous cases and to the variable and peculiar conditions which have brought about prevailing embarrassments. While there are cogent considerations justifying many modifications, the principal defect, as I presume to term it, which should be remedied is the entire omission in our so-called rules to provide for the bringing of a subject to a vote otherwise than by unanimous consent; because as long as a Senator can stand up and talk, and read or have read, matters relevant and irrelevant, the question can not be put.

Next in grade descending is the recognition by the Senate of the ancient but not honorable fiction that a majority of the Senate may be in the Senate and yet no quorum be present, and that although a Senator may answer a roll call by stating that he is paired with

another Senator, and although he may help to make the one-fifth of those present who demand a roll call, still, in conflict with his assertion of presence, we, with eccentric and patient indifference to the truth, rule that he is not here.

Then the Senate permits unlimited talk—discussion it is called—upon subjects absolutely and completely, entirely and obviously, foreign to the bill or question appearing by the record to be pending. It is interesting to know that at an early date the difficulties which now confront us were to some extent felt. We are informed by Mr. Schouler (*History United States*, volume 3, page 369) that Mr. Randolph during the last years of his public service was prone to wander from the actual question to which his remarks should have been addressed. In speaking of the Senate this author says:

The decorum of this quiet Chamber was outraged as never before, and Virginia was mortified at the unseemly exhibition. As a thorn in the flesh of an unpopular Administration Randolph was not to be despised, and on this account perhaps Calhoun bore gently with him, watching from his chair the flow of poesy and vituperation which the rules of the Senate, so he alleged, forbade him to interrupt.

I find by referring to 30 Niles's Register, pages 146-147, that the Senate rescinded the then existing rule which vested in the President the appointment of the Senate committees and the supervising of the Journal, and Mr. Calhoun made an elaborate statement in connection with this action, and also concerning his jurisdiction to confine Senators to the subject of debate. His argument in part is thus expressed by the reporter:

From the direction which the debate, in some degree, took, as well as from what has been said without these walls, it becomes, on this occasion, proper that I should state, for the information of this body, the construction that the Chair has put on the sixth and seventh rules of the Senate. They are in the following words:

"When a member shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President without debate; but if there be a doubt in his mind he may call for the sense of the Senate.

"If the member be called to order for words spoken, the exceptionable words shall immediately be taken down in writing, that the President may be better enabled to judge of the matter."

The Chair, said the Vice-President, has bestowed its most deliberate and anxious attention by night and by day on the question of the extent of its powers under a correct construction of these rules, and is settled in the conviction that the right to call to order on questions touching the latitude or freedom of debate belongs exclusively to the members of this body and not to the Chair. The power of the presiding officer on these great points is an appellate power only, and consequently the duties of the Chair commence when a Senator is called to order by a Senator. Whenever such a call shall be made, the Chair will not be found unprepared to discharge its only functions in such a case—that of deciding on the point of order submitted. And the opinion of the presiding officer in relation to the freedom of debate in this body it will be time to declare when a question may be presented; but such as it is, it will be firmly and, I trust I may add, fearlessly maintained.

Mr. Schouler also writes that in the course of the next Congress, in 1828, the Senate gave to the Vice-President concurrent power in calling members to order, subject to appeal from his decision.

We all know that this prerogative is never exercised by either the Senate or the Vice-President in so far as it refers to the obligation to keep within the limits of the question under discussion. Matters which are germane and matters which are not germane seem to be alike in order here. I believe that even under our rules, properly construed, Senators should be required to adhere to the question; but the contrary practice prevails, and will only be corrected by positive prohibition.

THE ANTIQUITY OF OUR RULES DOES NOT INHIBIT THEIR AMENDMENT.

In examining this question it is fair to admit that rules which have been in operation during such an extended period, and have been found frequently competent to discharge the functions for which they were designed, should not lightly be set aside. That a plan of action has been, for a period, found advantageous suffices, perhaps, to make out a *prima facie* case in its favor. This, however, is all that can be claimed. This is as much as the doctrine of presumption warrants. It must likewise be granted that no regulations sufficiently comprehensive to include the advanced requirements of an alert nation can be devised for all time. We can not photograph the future, or even comprehend it. However wise we may be, or however closely we may have studied that which has gone, we are not permitted to penetrate the mystery of that which is to come. The unexpected developments of an active world we can but partially forestall. The phonograph does not store the pronunciation of the sages, the heroes, the philosophers of antiquity. Ages unborn will hear the voices of Gladstone and Bismarck, but the tones of their predecessors in greatness must be ever absent.

To suppose that rules adopted in the days of the nation's infancy by her Senate will be sufficient for all exigencies in maturer hours is to expect that there is never to be any actual development; that our country must be monotonous and nonprogressive. It needs no discussion to show that we are a go-ahead people; that we are fully alive to inspiring demands.

According to the census of 1800 the United States then contained 5,308,483 persons, and of these nearly one-fifth were slaves. It now contains a population but little less than 70,000,000. At that time Cincinnati contained, perhaps, 15,000 people. Buffalo was not laid out. There were a few cabins upon the site of Cleveland. Pittsburg amounted to little. Rochester did not exist. Boston contained a population of about 25,000; New York about 60,000, and Philadelphia, which then headed the list, some 75,000. Chicago was unknown. The great West was undeveloped. The vast resources of the Pacific Coast had been untouched.

The western frontier was located within the Empire State. The entire banking means of the United States in 1800 would not, as a cotemporaneous historian has remarked, "have answered the stock jobbing purposes of one great operator of Wall street in 1875." The same author tells us that in 1800 "the normal capital of all the banks, including the Bank of the United States, fell short of twenty-nine millions. The limit of credit was quickly reached, for only the richest could borrow more than fifteen or twenty thousand dollars at a time, and the United States Government itself was greatly embarrassed whenever obliged to raise money. In 1798 the Secretary of the Treasury could obtain \$5,000,000 only by paying 8 per cent interest for a term of years, and in 1814 the Government was forced to stop payments for the want of twenty millions."

It is perhaps accurate to say that the gross exports and imports of the United States at the dawn of this century did not more than balance at about \$75,000,000. The States were few in number. This body was exceedingly small. When the Senate contained three or four dozen members, there was but little necessity

for the enactment of stringent rules. There was no opportunity to filibuster. No chance was afforded to obstructionists for the retardation of public affairs.

Although it is true that civilization, with its varied social requirements, molded somewhat by climatic conditions, and influenced, too, by many other causes, has developed characteristics in one locality and among a certain set of men at a particular date, nevertheless, human nature is very much the same the world over and through the generations. The people of the United States had been governed under the English system. They had imbibed much of the hard sense and practical ideas which begot the common law. Moreover, the severe experiences of border life, the trials of war, and the demands of a new and unprecedented situation evoked love of country and smothered tendencies to indiscretion. Thus it came about that a country not then remarkably important commercially, offering but limited opportunity for the accumulation of lucre, sustained the most generally patriotic people who ever lived. This spirit has not become inactive, but many contentions which were entirely foreign to those who sat in this Chamber when the rules which I am attempting to consider were adopted are now urged upon us. It passes without saying that the development of the United States has induced many innovations and made imperative the enactment of numerous laws. The wisdom of our earlier Congresses, however marked, was not equal to the task of modeling statutes wide enough to cover the demands of 1895-96. Laws have multiplied until they have become so numerous that no one pretends to have more than a passing knowledge of the public and private bills which have become absolute rules of conduct. Our Constitution, the best result of the greatest wisdom of our predecessors, did not satisfy all necessities. Men who now sit here took part in changing that instrument and vitally adding to its prohibitions. These circumstances amply answer the claim that no revision should be made in the mere rules of a body which is itself constantly revising the statute law and sometimes aiding in the alteration of the organic instrument.

I assume that the causes which have made it necessary to add to or take from our Constitution, our statutes, our Federal and State systems must have made amendments to the Senate's procedure advisable. Apart from the concrete consideration of this topic, an intelligent stranger to the present discussion would doubtless say that if our rules are perfect, fit for unvaried endurance, the Senate must have been divinely organized and at all times acting in accordance with a plan born in omnipotent wisdom, or else that such rules must be behind the age, partaking somewhat of those proofs of the existence of ancient marvels which are furnished by prehistoric formations, petrified forests, the remains of various monsters, etc. These physical reminiscences are important because they are extremely old and not available for present use. They form examples of that which has been, and are valuable for the scientific lessons which are taught from them. Our rules are too modern for display and too ancient to suit our purposes.

I do not wish it to be understood that our rules ever will become or have become so obsolete as to suggest their exhibition with Cleopatra's Needle. I merely advert to the possibility of their improvement. They are still capable of being read by the public,

but can not, it seems, be understood in all regards, even here. During my limited incumbency I have noticed grave differences among our parliamentary Nestors as to their proper interpretation, and when such controversies have been submitted to the Senate, the solution has been accomplished along party lines, presumably because the safest course to pursue was that dictated by faith in tried and trusted leaders. But mutations which ought to affect about everything depending upon human intelligence have not interfered with these creations of the remote past to which the future is to be sentenced, because, Mr. President, I contend that in this regard we are behind the times; that it is our duty to be up and doing; that we can not hold the world back; that however great we may assume and presume ourselves to be we are atoms to be crushed if we seek to stay the march of intelligence; that we must either keep abreast of the chariot or be dragged at its wheels. These are propositions not susceptible of refutation. I would not change a rule merely for the sake of change; I would not alter one without a reason; but I would not retain a rule merely because I or my predecessor had made it.

We can not, I know, vary our conduct as the dictators of the fashionable world do their raiment, but when the test of thought confronts us ought we not seriously ask whether we, even we, may not be in error? The boys in the gallery many times suggest to the accomplished theatrical manager some defect in the acting or staging of his piece which the boxes have not detected. May it not be that those who have sent us here are right in their present criticism? "We owe it to ourselves," says one, "not to yield to public clamor. Let us take our time about it." This advice seems to be heeded. We are taking our time about it. Senators declare that we can always pass a bill if the majority wishes it to be passed. This may be true, but such passage is brought about only when the opposition is practically taken out on a stretcher. Such proceeding is not intellectual. While not novel here, it excites universal surprise everywhere else.

THE MAJORITY IS AT THE MERCY OF THE MINORITY.

Under our programme a single voice neutralizes, nay, vanquishes 87. Sir Boyle Roche would have said that one Senator outnumbered 87. True, a single Senator may be subdued, but no thanks to our rules for this boon. Give the credit to that nature which can not be conquered. Thus is afforded the relief which our rules attempt to negative. We can not overcome a single and determined opposing Senator until, his physical powers having weakened, we march to the roll call over his prostrate and panting form. Such procedure is not dignified surely, and if there is reason behind it no one has disclosed the same. If a sufficient number of obstructionists to order a roll call be present and a proper supply of positive Senators be here to watch and pray with their fellows—which must nearly always be the case in the great controversies now pending or plainly in sight or hereafter to occur—no vote can be reached until the minority so wills it. The more numerous Senators, the more need for firmness and positive regulation. We have now the largest Senate that ever convened in the United States, and the end is not yet. Let us look at this matter in the light of the present and consider the experience of the past. The tariff discussion in the last Congress furnished competent lessons. We sat here day after day and were treated

to essays of enormous length, compilations, treatises, etc. Many of these were not listened to throughout by a single Senator beyond the member who had the floor, and except perhaps the Senator from Kansas [Mr. PEPPER], who listens patiently to everything. I am told that he has felt it to be his duty to harken with the hope of hearing that which might instruct, and I am also informed that he feels that his self-sacrifice has been but partially rewarded, and that after all his trouble he is ready to confirm the generally accepted theory that everything said is not relevant or manifestly instructive.

Mr. President, I witnessed during the last tariff discussion a Senator of great ability and long experience speaking in this Chamber when there were but four of his associates present. One was in the chair, and one was attentive. I marveled why it was necessary to talk under such circumstances. The fourth Senator was writing a letter. After a while an absentee strolled into the Chamber, and, with a desire to emancipate us, moved an adjournment, and the Senate adjourned, leaving the Chamber but slightly less agitated than it had been. Was this deliberation? Did the Senators who left the Chamber pending the argument, speech, or recitation leave to deliberate? Perhaps so—perhaps so. After certain religious instructions the auditors are remanded to solitude for reflection. Maybe those who leave while the lone member deliberates aloud do so to deliberate in silence.

In a note to the second edition of Brice's *American Commonwealth* (volume 1, page 116), it is said:

One is told in Washington that it is at present thought "bad form" for a Senator to listen to a set speech; it implies that he is a freshman.

I had not heard of this, but our custom gives color to the theory that such is our faith.

The numerous calls of the Senate, the appearances and disappearances, the exits and entrances of Senators, summoned from the cloakroom and immediately thereafter returning thereto, indicate that lack of interest and want of proper regard for public business which are the legitimate result of the procedure I condemn. It must be conceded that it would have been cruel to force anyone to hearken to the many repetitions dealt out here during the tariff debate. Those addresses were not made to be listened to. No Senator was offended because his colleagues absented themselves. Why should he feel offended? He exercised a similar right himself, and he did unto others as he desired others to do unto him. I know that many able speeches were delivered upon the tariff; that our opponents, especially in the running debate, made trenchant criticisms, and, from their standpoint, appropriate remarks; but I do not hesitate to affirm that folios after folios of the CONGRESSIONAL RECORD are filled with statistical and other compilations, originating on the Republican side which, while wholly cumulative compelled modifications in our bill, yielded under compulsion as the only means of shortening that which threatened to last world without end. Much of this profuseness will not be studied or read until the hieroglyphics of ancient Egypt have all been deciphered; until the partially eradicated stories which linger in the ruins of Asia Minor or arrest the archæologist's attention in the land of the Aztecs have been fully interpreted and understood.

During the discussion to which I have referred a diminutive minority (diminutive as to numbers) upon the other side of this

Chamber declared themselves ready to talk until March 4 to beat the bill. And if there had been a slight addition to their strength the threat would have been executed.

Another and very striking illustration of the consequences of our rules was furnished on February 9 and 11 by a distinguished Senator. The bill making appropriations for the maintenance of the Post-Office Department of the Government was under consideration. A certain amendment thereto was proposed by the committee, and a point of order was made to the effect that the amendment was such general legislation as to conflict with the first subdivision of Rule XVI. The Senator referred to thereupon took the floor and proceeded to discuss the Alabama election controversy, devoting hours to its consideration, presenting numerous affidavits, statements, etc., bearing upon the transactions incident to recent proceedings at the polls in that State. That Senator, whom we all know to be able and intelligent, did not pretend that he was addressing himself to the subject then before the Senate. On the contrary, he had sought to be heard upon the election matter during the earlier part of the day, and being cut off by the parliamentary situation, did not hesitate to say that he would take the floor and make his speech in any event. He is not to be greatly blamed for this. He was merely exercising a privilege allowed him by the absurd procedure which the Senate tolerates, in defiance alike of sentiment and sense.

The following is one of many samples of the working of the present rule. Omitting names, I will read the report of an occurrence of the last session, which was published in a journal of this city. The report was substantially correct:

AIMS A BIG GUN.

Mr. A did not attempt to further prolong the delay in passing the bill, although for a few moments it looked as if the Senate was on the verge of a speech three months long. Mr. B's amendment providing for legal proceedings to test the constitutionality and validity of the tax before the taxpayer had paid it had been ruled out of order, and the decision of the Chair had been sustained by an overwhelming vote. Thereupon Mr. A, in order to get a vote upon the question directly, offered another amendment to the same effect; but Mr. D, declining to let the proposition be voted upon on its merits, raised the point of order. It was immediately sustained by the Chair, Mr. E being the presiding officer. Never a word said Mr. A, but, reaching beneath his desk, produced a pile of manuscript that was a foot and a half high and must have contained at least a thousand pages. It was a speech.

Mr. C laughed out loud. Mr. A smiled quietly and Mr. G nearly fell out of his chair. Mr. A, with a face as solemn as any clergyman's, unbuckled the great leather strap with which the immense mass was fastened, took up the topmost pages and began to look through them. Half a dozen Senators at once gathered around him.

"Are you going to make some remarks?" one of them asked him.

"I am going to make these remarks," was the Senator's reply, pointing to the mountain of manuscript, and the very ludicrousness of the situation brought a smile to his face.

Mr. H went over to plead with him. Mr. I also approached to view the threatened danger, and then Mr. G walked across the Senate to interview Mr. A. The result of the conference was seen a moment later, when Mr. A again introduced his amendment. This time no point of order was made against it. It was voted upon, and, as Mr. A had doubtless anticipated, was defeated by a vote of 19 yeas to 32 nays. But he had gained his point, and sinking back in his chair with an expression of beatific satisfaction he watched his clerk once more buckle up the thousand pages and stow them away under the desk, where they still remain to be again forthcoming when Mr. A has anything to gain by their appearance.

I know that some will probably say that there has not been any filibustering here. I am not particular about words or names. I am referring to transactions as they occur. During the last ses-

sion, and after the tariff bill finally passed, it was pretty well known that there were in that bill defects—certain errors—which the alleged dominant party wished to correct. The adoption of all the Senate amendments by the House rendered the usual committee revision impossible. It was suggested here that one or two of the inaccuracies should be cured; but no; the minority informed the majority that this could not be done, and the few had power to control the many. We threw up our hands and submitted without more than a murmur. Hence but little effort was made in the line of even clerical improvement. The press correctly informed us that the leaders of the other side concluded that there should be no more tariff legislation. The minority thus dictated to the majority, and the majority acquiesced. Others again affirmed that there must be no financial legislation. It may be that the majority here believe, as I do, that it is practically impossible to enact a complete financial scheme at this session; but it is wholly immaterial whether the majority or the minority favors legislation. The majority can do nothing unless the minority consents.

True, the minority can not enact a bill disagreeable to the majority, but practically the Senate is governed by a minority. It is common experience for a majority leader to say to his restive subordinates: "Wait awhile; have patience; I have been in consultation with Senator Blank, the leader of the minority, and he agrees that if we will make the following concessions he will see that the majority is allowed to proceed." The followers sometimes are irritated, use nonparliamentary language in the cloak-room, refuse for a day or two to bow down, but they always come to time. They have to come to time under the rules—the constitutional rules of the Senate. Even our leaders do not relish having to do this. No one pretends that it is just right. The most plausible excuse that can be given is that nothing is perfect, even in the Senate, and that these difficulties are of less moment than those that might, could, or would be produced by more positive and less curious regulations.

I will show that there is nothing in these excuses or arguments. Just now there are various important bills before us. Perhaps we may be allowed to vote upon them. Many of them present no party issue. But one opposing Senator may baffle us. If we assume that there is a majority of 10 or 20 only, either for or against one of these bills, and if the measure reaches a roll call or a determination, it will be because the minority have so willed. In other words, the passage of a bill is effected when the opponents thereof agree thereto. This is certainly a harmonious anticipation involving peace and good will. We vote because of the magnanimity of those whom we outnumber.

I know that some who differ from me declare that bills are always passed on. This is not true. But if it were better founded it would be a remarkably weak response. Are those rules the perfection of human wisdom whose only value is that notwithstanding their existence legislation may be had? Rules framed for a legislative body defended because in spite of them work may be done! Rules are everywhere supposed to be designed to promote work. If the argument is worth anything, it is for the reason that it means that the essence of Senatorial statesmanship is the impeding of legislation. A body formed to legislate is, according

to this view, performing its obligations when it does its best to negative the object of its creation. Organized for action, it luxuriates in inaction and deliberates and deliberates and deliberates, while one part of the country is swearing and the other is yawning.

ILL-ADVISED LEGISLATION IS NOT AVOIDED BY A SYSTEM WHICH CONSUMES TIME AND ENLIGHTENS NO ONE.—THE DISCUSSION WHICH RESULTS IN BENEFIT IS PERTINENT, DIRECT, AND PITHY DEBATE.

The person who tells me that addresses which are listened to only by the suffering Presiding Officer and by the party who is talking enlighten anybody does not appeal very strongly to me. When a minority resolves upon the death of a bill the speeches, while fatal to the measure, are also dull to the Senate and void of intelligent consequences. If mistakes have been made in bills which have passed here after lengthy debate, it does not prove that we did not spend enough of time upon such measures, but does establish that our hours were not as well employed as would have been the case had there been a brisk and apposite discussion upon which was centered the undivided attention of the whole body. The present plan inhibits such educating consideration. Reasonable rules will produce the improved condition. I frankly admit that I do not like to be driven, and I also know that self-respect requires us to maintain our integrity against demagogic onslaught. If you do not respect yourself, how can you expect others to respect you, is a pointed inquiry upon a proper occasion. It is an inquiry which I would address to those who inflict kill-bill compilations upon their brethren, which compilations are never read again nor intended to be read by men or angels—certainly not by angels who are not paying the fearful penalty of transgression. It is because I revere this place, long and now tenanted by many great and good men; it is because I trust that our posterity may see in this Chamber nothing to offend and but little to improve, and it is because I feel that unless we remodel our practice we will be righteously condemned that I make this appeal, especially to those Senators whose extended and valuable services to their country leads me to hope that they will finally decide aright.

THE DIGNITY OF THE SENATE IS NOT MAINTAINED BY ADHERING TO PARLIAMENTARY ANOMALIES.

Much has been said with reference to the dignity of the Senate, and it appears to be intimated that it would not be dignified to have a previous question here; that other bodies may condescend to such restrictions, but that it would be indecorous for us to do so. But the Senate was created for the purpose of, to some extent, legislating for the country. Such, certainly, is one of its most important duties. It was designed to act with the House of Representatives, and both together to form the National Legislature. It was not organized merely that its members might be impressive. But dignity (*dignus*) is the equivalent of true worth, of excellence. It does not depend solely or chiefly upon external manifestations nor lofty bearing. Senatorial dignity should result from the full discharge of the obligations of a Senator. It is not begotten of rules; it exists only in just appreciation of high responsibility, and is the companion of onerous, patriotic labor, carefully, ably, and conscientiously done. Due comprehension of the importance of his trust should influence the manner and conduct of a Senator. He should ever remember that his fealty to the great power which he represents inhibits improper and unseemly action.

But the people of the United States did not make this body for any other purpose than to conserve, develop, and perpetuate the principles of liberty, which they hoped would enable them to pursue, without fear or favor, their legitimate affairs. The Government, after all, is an agency of a strictly business character. The unessential embellishments of power, the pomp and circumstance of authority, are daily becoming less and less tolerable. The diffusion of education, the fact that the printing press is so generally in use and literature so available tends toward the equalization of mentality as far as such equalization is natural, and renders too much display and obtrusive consciousness of the possession of authority repulsive to the average American. Recognition of the courtesies of enlightened life must undoubtedly prevail; the enforcement of regulations dictated by regard for order and adequate veneration of our country's institutions is also vital, but here the patience of our constituents is disposed to cease.

THE SENATE SHOULD NOT BE AN EXCEPTION TO ALL LEGISLATIVE BODIES.

Every effective assemblage in the civilized world is controlled by rules which make the transaction of business by the majority always attainable within a reasonable period. This is true of short-lived bodies, such as conventions, of more permanent organizations, such as parliaments, diets, chambers of deputies, etc. Even the Senate claims to have rules, and I think I have heard it admitted that these are valuable as aids to affirmative action. How absurd to fix hours for morning business or to designate a time when the Calendar may be considered or anything else taken up, when we contumaciously and with premeditation so manage our affairs that one fourth of the body can readily defeat a roll call on the merits. That a quorum may be present and actually debating, and yet by declining to vote members present may make the record show no quorum, is a condition perfectly familiar and indefensible. If we are to have rules at all, let them reach the vital part. If we are here for work, let the work be done. If it be better for the country that no legislation should be had—and I have heard a distinguished man defend our rules on this ground—then let us meet only to adjourn. If a bill is good, ought it not to pass? If it is bad, should it not be disposed of according to law? Talking a bill to death, while in harmony with Senatorial usage, is unreasonable. Rational consideration, full consideration, every measure indeed should have, even at the risk of weariness, but a minority should not be allowed to effectively say, "We will not permit clerical errors or other obvious defects in a tariff or other bill to be changed. Our policy is to compel the country to act under the measure as it is. We claimed that the bill was defective, nevertheless it was made a law. We will now decline to permit mistakes to be rectified, even though the same may have been exposed by us. It is against our policy to permit the majority to act."

Is it wonderful that the people of the United States censure the Senate? Is it remarkable that this is not a popular body? Is it singular that every one asks us why the Senate is so slow? And is it not peculiar that our excuse must be that our rules will not permit us to do anything—that we are disciplined to inaction? Is it true of other advanced peoples that their highest legislative chambers are compelled to admit that their rules, their own instruments, created to facilitate business, are efficacious only to pre-

vent the determination of important issues? It was never designed by the framers of the Constitution that this body should be an insuperable obstacle to reform, or that it should place about its limbs shackles of its own fashioning and justify its torpor by referring to impediments of its own proper design.

THE FORCE BILL.

I am aware that several Senators whose abilities and statesmanship long ago justly won for them high national reputation object to anything approaching a cloture, because they say we ever stand under the menace of the force bill, that the effort to enact that bill is a warning of the presence of kindred perils. Stated in a different form, this means that there is always danger that the majority may become tyrannical or may scheme for continuous dominance, or may plot against the country's interests. The force bill seems to be used by each and all of those upon the Democratic side who rest upon this so-called argument. The pertinency of the illustration is hardly admitted by our Republican friends who defend the rules. I shall consider the subject first as it regards the obnoxious bill so fortunately buried. Then I shall attempt to maintain that the good or evil of any special measure can never warrant a general and century-extending policy which can not be justified except as a preventive to such ill-advised legislation.

Is it true that the country or the Democratic party would have been ruined had the force bill become a law? I do not think so. I have the highest respect for Senators who regarded that concoction as an edict of proscription and death. I fully agree that it contemplated an unrepudiated system. I concur that the time of its introduction—a generation after the close of our lamentable civil strife—was most unhappily selected. Nevertheless, had that bill been enacted there would have been no temporary or other Democratic falling off, either North or South. The common danger would have solidified expression in the ballot box, and an attempt to repeat the criminality of carpetbagism or the errors of electoral commissions would have stirred the Union to such an extent that election cyclones would not have been causes of discomfort to this side of the Chamber. If I am not right about this, and if still I be correct in my disapproval of the force bill, it follows that our Government is a total failure. For if an odious, unpatriotic, enslaving, power-perpetuating enactment, unjust in its conception and cruel in its workings, be not doomed to swift destruction by the honesty of the land, it can only be because it reflects public immorality and general wanton disregard of sacred privileges. Nor is it any response that the nature of that bill was such as to place the machinery for counting in and counting out in the hands of politicians, who would have exercised such authority selfishly and to the fullest extent.

This condition would no doubt require more decided public expression, greater majorities than are ordinarily determinative of party struggles, but the difficulty is purely theoretic. The American people occasionally "go out gunning" with weapons thoroughly charged. During these uprisings schemers, gerrymanders, force-bill men, id genus omne have only one recourse, viz, to take to the woods. Sometimes even the innocent go down with the guilty. If, which I do not deem likely, the Republican party shall come into complete power once more, having under its con-

trol the executive and legislative departments, its astute leaders will not attempt to enact a force bill any more than they will seek to reenact the McKinley bill. They have tasted both to their hearts' discontent, and will be found somewhat homeopathic even as to protection. While the people will often go too far—while, as in the late elections, they may perhaps visit the sins of one party upon the other—yet in the end the matter will be honestly adjusted—the fair thing will be done. To hold differently is to write one's self a pessimist, an unbeliever in republicanism, or, at best, a political agnostic.

I can well appreciate that Senators who lived under the impositions of carpetbag control, who watched the looting of their treasuries and of their people by imported conscienceless and merciless speculators upon patriotism, who saw not only their personal belongings taken away, their families humiliated and terrorized, their rights as citizens ignored and repudiated, but who also suffered from enormous State and municipal debts and the infliction of numerous other evils, should shudder at the remembrance of such a condition, and should protest against any concession rendering the recurrence of such enormities possible. But this very experience, the presence of hearts and frames yet bearing the scars of outrage and sorrow, is apt to exaggerate the peril. We are not upon the heels of an awful war; our people are commercially and otherwise one; and no such sad state as that to which I have alluded can be born of force bills or miscalled legal writs. The American people are too well educated in liberty and law to allow long life to any cruel or clearly unjust measure. So much for this feature of the case.

I affirm that we must not spend our time in rendering legislation difficult because we fear that the majority may pass an iniquitous bill. When I say the majority, I mean as far as this body is concerned, the Senate.

There are instances—as in the case of the expulsion of a member or upon impeachment trials or the ratification of a treaty—where more than a majority is required; but I allude now to those cases where those who sum up more than half a quorum are given by the Constitution the right to express the will of the Chamber. The Senate mentioned in enacting clauses and which Senate concurs with the House, is not practically and necessarily composed of more than a majority of a quorum. Of course nothing less than a quorum constitutes the Senate. The contesting minority either does not participate in the enacting of a law, or if it participates, it is by way of protestation. It does not enact. It seeks to prevent enactment. That this minority has a right to require deliberation I grant. That it may dictate the extent of the deliberation and define what constitutes deliberation I positively deny. To admit such a proposition would be to permit the minority to deliberate to the death. Consideration there should be; patient, painstaking, earnest reflection; but as either the minority or the majority must determine when deliberation ceases and the wasting of time begins, I at once select the majority as the repository of the power.

Majorities are not infallible. The majority and minority both come from a body speaking a common language, living under a common Constitution, governed by a common Federal system, and having a common aspiration. They are all samples of one stock.

Hence it is obviously demonstrable that the majority will be oftener correct than the minority. I prefer to live under a plan which sometimes leads to wrong rather than under one which generally leads to wrong. Usually the majority is in sympathy with the latest expressed will of the people. Hence it is not easy to avoid the conclusion that the majority will commonly enact the popular will, and no one is bold enough to claim that we should not, as a rule, defer to the public will by which we have been inducted into our places. There may be an extreme case, but I am not discussing such. My argument is a protest against the adoption of a policy based upon exceptions. I repudiate the view which forces me to follow a line of conduct usually which is only tolerable in isolated instances. I ask for a rule that now and then may work an inconvenience, but which, in the vast mass of cases, must be beneficial. My adversaries invoke a plan which, as I have said, ignores the rule and recognizes the exception, adopts the special and rejects the general. I am afraid of majorities, says one. Very true. But I am afraid of minorities. If we can not trust the majority, a fortiori minorities must be avoided. The basis of our Government is the recognition of the majority. Many of those who have endeavored to enforce minority control are in jail. Some of them have been disposed of according to law and with the judicial prayer, "May God have mercy on your soul." Outside of the faith of this Chamber, the American people do not believe in minority control. Mr. Webster well said "Liberty exists in proportion to wholesome restraint." Without some curtailment of the obstructive power of the minority liberty is in peril. When the majority representing the people can not prevail within a reasonable time the condition is menacing.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

The PRESIDING OFFICER. The Chair recognizes the Senator from Arkansas [Mr. JONES] as being entitled to the floor on the unfinished business.

Mr. WHITE. I inquire if the Senator from Arkansas prefers to proceed immediately? It will not take me very long to conclude.

Mr. JONES of Arkansas. How long will it take the Senator from California to conclude?

Mr. WHITE. About fifteen minutes.

Mr. JONES of Arkansas. I should be very glad indeed to proceed, but I do not like to interfere with the Senator's speech. I yield to him if he desires.

Mr. WHITE. I am much obliged to the Senator from Arkansas.

The PRESIDING OFFICER. By unanimous consent the unfinished business will be temporarily laid aside without losing its place. The Senator from California will proceed.

Mr. WHITE. The Committee on Rules is and has been composed of some of the ablest Senators; men of great experience, who have given much consideration to parliamentary problems as well as to general legislation; yet that committee, as heretofore organized, and I do not confine myself to any one committee or to any particular membership, suggests an admirable illustration of the

evil against which many are now protesting. That committee creates not, neither does it destroy. It lulls into somnolence all tendered changes. The most energetic rule, the most stirring proposition, is afflicted with incurable lassitude when it comes within the anæsthetic atmosphere of this remarkable organization. Occasionally a member of the Committee on Rules notes the propriety of reporting back a proposed resolution. The vitalized committee member is informed that he can not even enjoy the privilege of filing a minority report, because a minority report presupposes the existence of a declaration from the majority, and the majority reports not, neither does it cease to be. So the progressive member may fuss, he may protest, he may storm, but the Committee on Rules, smiling upon him, benignly prescribes calmness. There are many centuries to come. Why should the minority of the Committee on Rules become agitated while the majority are so completely satisfied? You believe in majorities, they sarcastically say; hence demur not. This condition is the more remarkable when we reflect that the Senators who are and have been on that committee are and have been men of integrity, determination, ready judgment, and admitted fearlessness. But I am not addressing myself to any particular committee or to any special person. I spend not a moment from a mere disposition to censure an individual. To do so would be unjust. My aim is directed against a system which drags down not only the Committee on Rules but the Senate. The Senate is responsible for the committee and its customs and usages. It has been unjustly said that the Committee on Rules is the graveyard of Senatorial advancement. There is nothing left of a rule when it reaches that committee. There is nothing to inter. The suggestion not only sleeps, not only dies, but it is forgotten. No coffin conceals its wasting form, no urn contains its ashes, no parting words are uttered, no eulogy pronounced. The Committee on Rules is not obtrusive. Its power of annihilation is effectively manifested in silence, serenity, and solemnity. The numerous amendments which have been submitted to this committee at different times have not affected any controlling opinion within its circle. That body has had nothing to say as to the impropriety of the many propositions which the irate and nervous, the dignified and sedate have pressed for consideration.

The committee has not even officially informed us whether its members think that the rules can be improved. We have not been told whether it is desirable to enact a rule to establish that we are present when we are not absent, or whether it is not possibly well that we should repeal a canon of practice which records us absent when we are demonstratively, though it seems unparliamentarily, here. We have not been informed whether it is right to place upon the Journal the presence of a Senator who declares in stentorian tones that he can not be counted because he is paired; who announces that because some one is really abroad he is constructively away. If a Senator should engage another Senator in desperate physical encounter—a supposition purely illustrative—and should in the midst of the mêlée declare himself paired or refuse to answer, he would not be counted, would be considered absent, although he might be expelled because of misconduct in the presence of the Senate while in session. Senators who do not know this body have, when in workful mood and as the result of

rosy anticipations of duty performed, transmitted to the Committee on Rules declarations of principles of action which have been recognized as effective and necessary throughout civilization, vainly trusting that the hour for improvement had been reached. Visionary indeed are such aspirations; unfruitful such efforts; abortive such exertions. Time disciplines these enthusiastic tyros in Senatorial ways. They finally lapse into a semiacquiescent state. When these rules are changed—and they will be changed—Senators, now young, who tendered these amendments, will stay their tottering steps as they proceed down the pleasant walks of their later lives, and will say, in the uncertainty of the utterances of old age, “Yes, yes; those amendments were proposed long ago, forty or fifty years ago. I made a few remarks concerning them; am glad to see that my sentiments have at last obtained. Singular that it should have taken half a century to induce the Senate to agree with unanimous expression. It has been a little slow—yes, quite slow; quite slow.”

IT IS UNNECESSARY TO SEEK PRECEDENTS ABROAD CONCERNING THE
DESIRABILITY OF A MORE PRACTICAL SET OF RULES.

We have a home example; a case not only in point, but a teaching, inspiring, chiding, and dominating case—that furnished by the House of Representatives. At the outset of the debate which there led to the final rules of the Fifty-third Congress, precedents were cited to show that there was no necessity for more restrictive forms. Attention was called there, as it is called here, to the truth that our country has managed to get along for a century under old conditions. Undoubtedly the founders of this Government did not consider the obstructionist of to-day. It is unnecessary to ask for the reason. It is sufficient to say that without the change business could not be transacted at all; and hence the good sense of our Representatives brought about the alteration. Although the majority of the party to which I belong denounced Mr. REEP for his work with reference to parliamentary matters, it is safe to say that neither party will ever go back to the rules and regulations which have been abandoned. Our Republican friends deserve the credit of the first effective action in the House, though in inaugurating the work they but followed the precedent made by the Senator from New York while he was the presiding officer of the senate of the Empire State. But that party, after loudly proclaiming in justification of its course that it is traitorous to oppose the popularly selected majority, had no sooner been condemned to second place than it immediately adopted dilatory tactics, and with pleasing abandon maintained that until the Democratic majority forced the Republican minority to do its duty the latter was authorized to pursue its natural bent. The best advertised honesty in the Republican Congressional delegation advocated and directed this course. The Republican press applauded it. Republican bosses said: “Go on; your course is bold, but your immorality will demonstrate the need of coercive measures. We will sustain our virtue by insisting upon vice.” This programme, faithfully carried out, resulted in the rules which finally prevailed at the other end of the Capitol during the last part of the Fifty-third Congress, and which gave the majority that control which the Constitution contemplates and the public rightfully demands.

It must be understood that I do not favor the House rules. The numerical parliamentary features existing there are not so marked here, and for that reason greater latitude can be allowed. My in-

sistence is that some method shall be devised which will enable the majority, after a rational period, after liberal debate, allowing time which can not without unanimous consent be reduced, to put the previous question, and also to compel the record to speak the truth as to the presence of Senators. I know that no one will insist upon a vote even under these conditions at such an hour or day as will prevent a Senator from fully and fairly expressing himself, and I trust that I am not hoping against hope when I assume that the Senate will sometime exercise the power to determine that the reading of *Paradise Lost*, Webster's Dictionary, Mr. Gladstone's translation of Horace, etc., are not always in order, regardless of the subject under discussion. If such authority exists to-day, either in the Senate or its presiding officer, it is not exercised, and yet clearly irrelevant matter has been often projected upon us. The Senator who fathers an address so long that he can not afford to listen to it himself, which, perhaps, he may not have even read or heard read, should not be permitted to procure an enthusiastic colleague to publish it for him while he retires to be refreshed, that he may be able to come again upon the stage and challenge the physical endurance of those whose judgment he does not either hope or seek to affect.

Technical debate is not actual debate in this Chamber. Some one delivers a formal address to-day and it is answered by an equally formal preparation two months hence. The enormous accumulations contained in the CONGRESSIONAL RECORD would, I believe, be greatly reduced, to the benefit of all, if we proceeded upon business principles. Senators have stated here frequently that the number of bills passed by this body shows that the rules are good enough. It must not be forgotten that most of these measures have excited no great interest or active discussion. In such cases no trouble is experienced in obtaining speedy action; but when the great issues—the material matters pertaining to legislation—are before us, the obstructionist becomes omnipotent, and days and days and weeks are wasted. Senators may say that such discussion is not wasted. But no one listens to it. Occasionally some episode induces the public to fill the galleries and Senators to seek the floor; but for the most part the deliberative eloquence mentioned is spoken ineffectively, except in so far as it stops needed legislation.

The House of Representatives more than once has passed a resolution favoring the submission to the several States of a constitutional amendment authorizing the election of Senators by direct vote. For months at a time that resolution has been here. It has been tied up, buried, ignored, sat upon by our preponderating ponderousness. Great interest is taken all over the country in this proposition. Representatives direct from the people have asked that the States be permitted to act upon the matter; but the Senate not only fails to permit such action, but declines to expressly say whether it will or will not submit it. For myself, I am emphatically in favor of the adoption of that constitutional amendment. The issue was submitted to the voters of California in 1892, and the vote stood: For the amendment, 187,958; against, 13,342. It must be understood that I am not blaming anyone in particular. The pernicious results to which I refer are the legitimate offspring of a system that is operative only for harm, and that should have been remodeled long, long ago.

I think that we owe something to the public. This body, while not chosen by the popular vote, is, nevertheless, elected by agencies of popular creation. While we are not bound by an initiative or referendum, still we should pay some attention to the desires of those who sent us here. As our Government is based upon the popular idea, we must not deny the long-continued demands of those from whom we have obtained our authority. I do not refer to the expressions of self-constituted newspaper critics, whose views of public conditions are sometimes most selfish and unreliable, but I speak of the actual beliefs of our constituents. I have been in many States of the Union—in large cities and small towns, and in rural districts—during the last two years. I have not discovered one man, woman, or child who favors our prevailing doctrine of legislative paralysis, and the subject has been and is one of constant consideration. In every instance the Senate has been censured and referred to as antique and as constituting more a relic than a life—a thing that has been, rather than a present existence. This situation is not pleasant; it is unfortunate; it is exaggerated and grossly unjust; but the provoking cause is plainly discernible.

The ill which we permit, and against which my words are leveled, is the parent of many of the unfounded attacks from which we suffer. It must not be thought that I believe that any Senator should sacrifice his views of the Constitution, his convictions of duty, to a mere external demand, whether from meetings hastily gathered together, or from more regularly convened bodies, or from newspapers, or from the press generally. These expressions should be duly weighed and should not be thoughtlessly ignored; nevertheless, I will not abandon or advise another to abandon conscience or independence. I am certain that the States here represented want firm as well as true counselors, men of integrity who will not be swerved by threats or flattery or by "the conscious simper and the jealous leer." I do not forget, either, that it often happens that those who criticise possess "a brain of feathers and a heart of lead." Still, while thus holding firmly to our rights and guarding according to our judgment public interests, we must not, as I have stated, fail to respect or consider opinions of those whose servants we are. I think that every cautious person will appreciate that the Constitution contemplates care in the passage of bills, and that that instrument made it practically impossible to enact a law without considerable deliberation. The passage through the House of Representatives of any bill is attended with much discussion.

The Senate was organized upon the long-term idea that it might enjoy greater independence and be subjected less to exciting influences and political flurry. It was thought that when the more popular branch and the Senate united the country would not often have inflicted upon it an unwise law, and that when that occurred an Executive veto would arrest the threatened wrong, and that more than one-third of either body would, when occasion warranted, hasten to the support of the President. These and other safeguards, such as that requiring a roll call when demanded by one-fifth of the members present, were thought ample, and are, in my judgment, entirely adequate. There may be possible exceptions, but rules well conceived are not predicated upon exceptions. No one concerned in the making of the Con-

stitution apprehended that a second veto power, or, rather, the authority to extinguish by protracted torture, resided in the minority of the Senate. No such bill-destroyer was called to the attention of the fathers. They no more anticipated that a Senator would filibuster against a vote than we look for a filibuster by a minority of the Supreme Court against a judgment of that court when attempted to be announced through the majority. But opinions of official responsibility have changed since then. In this epoch the Senatorial parliamentarian invokes as many quibbles as the most erudite professor of any class.

We should not forget the usually correct proposition expressed by Gibbon:

All that is human must retrograde if it do not advance.

I understand the solicitude of those of my associates who fear that a change of rules just now will emphasize Republican influence in this body; but my remarks have been of no avail if I have not shown that the objections to the procedure of the Senate which I have urged are not conceived in partisanship, but arise from a deliberately formed judgment that the public welfare is involved and that it is imperative that attention should be paid to the well-grounded and universal demand for the adoption of an improved plan. The party advocate may and should be patriotic, but he does not rise above the level of selfishness if he insists upon saddling a parliamentary incubus upon an already heavily burdened body solely because he thinks that the majority, whose power is born of the people, may under prevailing conditions be unable to exercise the authority thus solemnly intrusted to their keeping without the intervention of technical obstruction.

Our rules should be reasonable, in harmony with the period for which we legislate and the civilization of which we partake. Let us have ample argument, but not argument lasting long after all have ceased to listen. Let us protect the minority, but permit the majority to assert their manifest privilege. Let no Senator openly avow his presence and place the same upon the record and then aver that he may not be counted as part of a quorum. Give to all wide latitude in debate, but do not refuse to call a Senator to order who willfully deserts his subject and consumes the time allotted thereto in the consideration of matter wholly foreign and palpably irrelevant. The star of progress glows with increased brightness. He who stands with sleepy visage, uncertain of his duty, is mischosen to place. Reverence for the great and gone should ever be cherished, but the examples of these have been given without profit if we do not move with rapid as with thoughtful step in the performance of the duties of an evolutionary age.

DEEP SEA HARBOR.

SAN PEDRO—SANTA MONICA.

SPEECH

OF

HON. STEPHEN M. WHITE,

OF CALIFORNIA,

IN THE

SENATE OF THE UNITED STATES,

May 8, 9, and 12, 1896.



WASHINGTON.

1896.

SPEECH
OF
HON. STEPHEN M. WHITE.

Friday, May 8, 1896.

The Senate, being in Committee of the Whole and having under consideration the river and harbor appropriation bill—

Mr. WHITE said:

Mr. PRESIDENT: I offer the amendment which I send to the desk.

The SECRETARY. It is proposed to strike out all the committee amendment, commencing on line 13, page 35, down to and including line 10, on page 36, and insert in lieu thereof the following:

For the purpose of selecting a proper location for a deep-sea harbor either in the Bay of San Pedro or at Port Los Angeles, in the Bay of Santa Monica, on the coast of Los Angeles County, Cal., a board of engineers, one of whom shall be an officer of the United States Navy, with a rank of not less than commander, to be appointed by the Secretary of the Navy, one a member of the Corps of Engineers of the United States Army, to be selected by the Secretary of War, and one a member of the Coast and Geodetic Survey, to be selected by the Superintendent of the Survey, shall personally examine the more northerly location in said Santa Monica Bay at Port Los Angeles, shown upon the first chart of House Executive Document No. 41, Fifty-second Congress, second session, as a proper place for a breakwater and deep-sea harbor, and shall also examine the location recommended for a breakwater and deep-sea harbor by the Board of Engineers of the United States Army, as appearing in said House Executive Document No. 41, Fifty-second Congress, second session, and shall determine the relative merits of said locations, and shall designate which of said locations is the more eligible for such breakwater and deep-sea harbor, and shall report to the Secretary of War their finding in the premises, and the decision of a majority of said Board as to said location shall be conclusive. And the sum of \$100,000 is hereby appropriated for a deep-sea harbor, to be constructed at the point so selected by said Board; and if said Board shall select the said location at Port Los Angeles, then the breakwater for which this appropriation is made shall be constructed substantially as shown on the said first chart in House Executive Document No. 41, Fifty-second Congress, second session; and if said Board shall select the location at San Pedro, then the breakwater for which this appropriation is made shall be constructed substantially as recommended by said Board of Engineers in said House Executive Document No. 41, Fifty-second Congress, second session: *Provided*, That the Secretary of War may make contracts for the completion of said work, to be paid for as appropriations may be made, from time to time, according to law, not exceeding in the aggregate \$2,998,000, exclusive of the amount herein and heretofore appropriated: *Provided, however*, That if the said board shall report in favor of the construction of a breakwater at Port Los Angeles no expenditure of any part of the money hereby appropriated shall be made until the Southern Pacific Company, or the owner or owners thereof, shall execute an agreement and file the same with the Secretary of War that any railroad company may equally share with the said owner or owners in the use of the pier now constructed on the site of said harbor and the approaches thereto situated westerly of the easterly entrance to the Santa Monica tunnel upon paying its proportionate part of the cost of that portion of the same used by such railroad company and its proportionate part of the expense of maintenance of the particular part of said approaches and pier so used, to be determined by the Secretary of War in case of disagreement between the parties.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The question is on agreeing to the amendment submitted by the Senator from California [Mr. WHITE].

Mr. WHITE. Mr. President, the question presented by the amendment which I have offered, and necessarily involved in the

report of the committee, is of great local importance to those whom I in part represent, and it is of national importance on more than one account. In the first place, the United States are necessarily interested in everything pertaining to harbor improvements. This follows as a matter of course. Then the Government is also interested in seeing that appropriations made by the Congress of the United States by means of a river and harbor bill are made for public purposes, and that the diversion of the funds of the Government is not accomplished through private channels or for personal ends.

The situation must be briefly outlined. It will save some time in the future and doubtless be of advantage to me as well as to those who are to follow me in the discussion.

I place before the Senate a map which can not at once be seen, perhaps, by everyone in the Chamber, but it is as favorably located as circumstances will permit. It is a map of the State of California, and I particularly direct attention to the southerly coast. It will be noticed that the trend of the coast is southeasterly, so that at Santa Monica, located on the map at the point indicated by me [indicating], is some 250 miles, more or less, eastward of the parallel upon which the city of San Francisco is built. The coast from Point Conception, situated nearly north of the Island of Santa Rosa, tends strongly eastward, in fact the shore line for a considerable distance is almost east and west. Thence it proceeds southerly and easterly. We have here at this point [indicating] Point Dume, where Santa Monica Bay, so called, which is really an open roadstead, commences. Following along the coast southerly we reach Point Vincente, where the Santa Monica Bay, so called, ends. Thence we pass along the coast until we reach a point called Point Firmin. [Indicating.] There the Bay of San Pedro commences.

It is from a point close to Point Firmin that the breakwater recommended by the Government engineers is designed to be constructed. It is in Santa Monica Bay, at a point some 15 miles from Point Dume and northerly and westerly from the town of Santa Monica, that the breakwater provided for in the bill is sought to be erected. To more definitely fix these points according to the charts of the Coast and Geodetic Survey which are before us, I will refer to a chart obtained from that office in this city, which chart is marked "Pacific coast from Santa Monica to Point Conception, including Santa Barbara Channel, California." Point Dume upon this chart is located at this spot [indicating]. It will be observed by a close inspection of this diagram that the water from Point Dume southerly and southwesterly is exceedingly deep, the figures reading 14, 150, 182, 233, 273, 322 fathoms, and so on, increasing. The soundings seem to cease beyond the point where 498 fathoms, or 2,988 feet, appear.

This diagram discloses the town of Santa Monica. The proposed pier, spoken of in the tracings as the pier of the Southern Pacific Company, extends into Santa Monica Bay, at a point more westerly than northerly from Santa Monica, a distance from that town of something like 2 miles, or a little less, perhaps. This point [indicating a point southerly from the Southern Pacific wharf] is located, according to the Coast Survey chart before us, not far from the 8-fathom line, and reading the figures directly in front of and southerly or southwesterly from the wharf, we have the following: 8, 14, 26, 30, 60, 89, 180, 110, 40, 41, 61, and 113. Reading not directly, but over a bearing between the direct reading which

I have made and Point Dume, we find that the water is somewhat deeper, culminating in 224, 238, and 255 fathoms.

I refer to this proposition because it is stated in the argument before the Committee on Commerce by an engineer who I see claims, in a document which he has issued here by unnamed authority, to be a semiofficial individual, that the water near Santa Monica is not extremely deep and that one of its great advantages is that there is a gradual slope and an easy grade and that the waves come over such grade gently and without disposition to do serious injury when the Southern Pacific pier is reached. It will be noted that in the Coast and Geodetic Survey chart, to which I have attracted the attention of the Senate, there are no soundings in the portion of the diagram immediately south and southwesterly of the last sounding to which I called attention [indicating]. I presume that the depth is such that it was not deemed worth while to proceed further.

Mr. MITCHELL of Oregon. When was that diagram made?

Mr. WHITE. I received it very recently from the Coast and Geodetic Survey office. I do not know when the surveys were made. I presume it is the latest on hand, because I requested the best information in the possession of the office and I was furnished with this chart. It is the result of a series of compilations running down to 1881.

Mr. PERKINS. I will say to my colleague that it is customary with the Coast Survey to correct these charts annually and that this is undoubtedly the last issue of the Coast Survey.

Mr. WHITE. Yes, sir.

Mr. MITCHELL of Oregon. The Senator says it comes down to 1881. That would be a good while ago.

Mr. PERKINS. That is the original plate, but where the surveys have not been completed these corrections are made from time to time. That they are correct I am satisfied, because our navigators upon the Pacific coast are using this series of charts. They are issued by and under the authority of the United States Coast Survey.

Mr. WHITE. The second plate, to which I am about to refer, is called "Pacific coast from San Diego to Santa Monica, including the Gulf of Santa Catalina." The island which is observable upon the map [indicating] is called Santa Catalina. It is located about 18 miles from San Pedro. The Senate will notice that the words San Pedro and Wilmington occur frequently in the discussion of this matter and are often noted in official publications. As far as this question is concerned we may consider San Pedro and Wilmington one place, though, as a matter of fact, the towns are some little distance apart. However, the improvement which has been going on for many years in this neighborhood is known as the improvement of Wilmington Harbor. We are more in the habit of designating the inner harbor as San Pedro, but appropriations refer to the place as Wilmington. I will use the terms indiscriminately. The town of Wilmington is a small village situated upon the inner harbor, and San Pedro is upon the same waters.

Mr. COCKRELL. How far apart?

Mr. WHITE. Oh, a couple of miles apart.

The Island of Catalina, to which I have attracted attention, is some 20 miles or thereabouts in length and some 18 miles from shore. It will be observed that this large body of land furnishes protection from southerly and southeasterly winds. Its northern

shore is thoroughly protected. So true is this that the little Bay of Avalon located at this point [indicating] on the northerly shore of Catalina Island is the most tranquil sea water which I have ever observed. It is so calm that there is no difficulty in ordinary weather in using any common rowboat handled by a lady or robust boy along a considerable portion of the landward coast of Catalina Island. The water on the ocean or southerly coast is comparatively rough. I mention that to show the effect of the island in stilling the water toward the mainland. Its length extends the calming influence and affects the sea to San Pedro.

Point Firmin is located at this point. [Indicating.] It is from a spot just easterly of Point Firmin that the Government engineers have designed the construction of the breakwater which they recommend. That breakwater, according to the last report, is to commence near Point Firmin, on the shore, and extend outwardly in a curved line, thus [indicating]. The town of San Pedro is located at the point marked San Pedro on this diagram, indicated by the pointer which I hold in my hand [indicating], and the town of Wilmington, also referred to, is located here. [Indicating.]

The Senate will notice in the report and in the bill an item with reference to the inner harbor at Wilmington. We have already made an appropriation to which it is necessary for me to advert before proceeding further, so that confusion may be avoided. We have upon page 36 of the bill made the following appropriation:

Improving Wilmington Harbor, California, in accordance with the project submitted February 7, 1895, \$50,000: *Provided*, That contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$342,000, exclusive of the amount herein appropriated.

The harbor of Wilmington is located northeasterly about two miles from the town of San Pedro, and on the estuary. The inner harbor designed to be further improved by the \$392,000 appropriation is separated from the ocean by a narrow neck of land, a sandy island known as Rattlesnake Island. [Indicating.] That island is nominally separated from the mainland, and the Terminal Railroad now runs upon the island and along Wilmington Harbor, where that corporation possesses wharves; and there, too, private parties, lumber dealers, and so forth, have built wharves under franchises granted them by the board of supervisors of the county of Los Angeles. Much trade has thus developed.

The inner harbor is, at its commercial point, about 500 feet in width. Upon one side of it, which we might for convenience call the shore side, there are located wharves of the Southern Pacific Railroad Company, and there that company is constantly running its trains and transacting transportation business. On the other side of the harbor the Terminal Railroad Company conducts its business. There are, as I have said, many business men other than the railroad companies who are the proprietors of wharves or docks upon that inner harbor.

The Senate will notice that Point Firmin is located at a point where the bluff rises to a height of about 60 feet [indicating], and this bluff continues down to the town of San Pedro. Thence the grade reduces, so the land between San Pedro and Wilmington is fiat. There are there lagoons and sloughs, as we call them, and marshy land over which at times the tide rises. That property is susceptible of commercial development. A part of this locality has

passed into the possession of individuals. The major portion of it belongs to the State of California, and under the terms of our present constitution it is inalienable. Under our laws the board of supervisors have the regulation of the granting of franchises for wharves. These wharves are public, but in view of the outlay in their construction the proprietors are allowed to make certain charges by way of toll.

This inner harbor has been a marked success. When the Government engineers took charge of this work some years ago there were only 2 feet of water upon the bar, possibly a little over 2 feet. By dint of skillful management and in consequence of the appropriations made by Congress the depth has been so increased that at the present time there are 14 feet of water at low tide. The tidal rise in that neighborhood is about 5 feet. Hence there are upward of 18 feet of water at high tide at that place, where formerly at low tide there were but 2 and at high tide perhaps 7 feet.

Some years ago this estuary or inner harbor to which I have referred was employed solely for very light draft craft. I recollect very well twenty-two years ago when I first went to the city of Los Angeles from the northern part of the State in a steamer owned by my colleague and his associates. We anchored outside of San Pedro in the water, which it is now designed to utilize for an outer harbor, and then we went upon smaller craft. Lighters were used for freight and very light craft for transporting passengers into this estuary to the town of Wilmington. Now vessels drawing 13 and 14 feet and more pass into the inner harbor and tie up at the wharves and discharge lumber and freight.

The main occupation there at this time is the lumbering business. Most of the lumber coming down the coast, save that which is consigned directly to the railroad company, and much that is consigned to that company, seeks this inner harbor.

The provision to which I have referred and which we have passed upon already involves carrying out what is known as the project of Colonel Benyaud, by which he proposes to obtain a depth of 18 feet at low tide within the inner harbor; this will equal 23 feet at high tide, which will accommodate nearly all the vessels which come there.

Before passing from this point I wish to call your attention specifically to a map of the site of the proposed harbor at San Pedro, which contains soundings which will be of value in the discussion. It is said that there is much deep water at the point where it is intended to construct the harbor. It will be noted from the map now before the Senate, and which is called "Wilmington and San Pedro harbors, California; published December 18, 1895; W. W. Duffield, superintendent; O. H. Tittman, assistant in charge of office," and so forth, date of publication 1888, that is not true, as stated in Mr. Cortrell's paper before the Senate, and as heretofore erroneously claimed by many, that there is such abrupt bottom in the neighborhood of Point Firmin. It is true that as we go more southerly, westerly, and northerly there is a gradual and a rapid recession, as we also have observed in the case of Point Dume; but if Senators interested will notice the depths south and southeasterly from Point Firmin the depths extend, as shown upon this diagram, these figures in fathoms will be found to appear, viz, 7, 9, 13, 17, 16, 17, 16, $14\frac{1}{2}$, 13, $13\frac{1}{2}$, and to 19. The exact distance can be computed from the scale, but it certainly is several miles, so that there is no trouble to be apprehended from this cause. The water is not remarkably deep. The evidence is without conflict that

the ocean swells proceed from the west, and that, although the wind may blow from the southeast and points not varying far from the southeast, still the swells, the dangerous seas, come uniformly, or nearly so, from the west, and it is designed to construct this breakwater at San Pedro so that it will cut off the westerly swells. I have referred to this diagram to prove that the assertion regarding the soundings which has been made by Mr. Corthell and others is not well founded.

You will observe, therefore, that when we speak of the inner harbor at San Pedro we are referring to something which has received the attention of the Government in the past, and for which we have already here made provision.

The outer harbor, with reference to which I have been speaking, is in the immediate neighborhood, though not directly connected with the inner harbor. The outer harbor would be peculiarly valuable if situated adjacent to the inner harbor.

The questions before the Senate may be summarized thus: First, is it necessary that we should have an outer harbor at all? Second, if so, should that outer harbor be located at San Pedro or should it be fixed at Santa Monica?

Mr. President, if it be conceded that the selection at San Pedro, as contended by my distinguished nautical friend the chairman of the committee [Mr. FRYE], is not well located, and that the Government is not warranted in making the expenditure at that point, the question still remains, will the Government be justified in making the expenditure at the point designated in the bill?

Mr. GRAY. Is Santa Monica on that map?

Mr. WHITE. I have here a map upon which it appears. place before the Senate a diagram which was utilized in Los Angeles by the Architects and Engineers' Association and which Mr. Corthell correctly referred to in the hearing as an accurate picture of Santa Monica Bay. It shows the wharf and the bay. I shall be obliged if Senators will examine it. I likewise present a photograph of the inner harbor of San Pedro as it now exists, which I also ask Senators to kindly examine.

Such is a general statement of the location proposed for this governmental investment. Let us now inquire as to the official status of the matter before the Senate. It has long been the desire of the people in that part of the United States to have a good harbor. Senators are all well aware that most of the Pacific (so-called) harbors are not of the best, that we have been compelled to rely largely upon governmental bounty in the construction of harbors. We have a splendid harbor at San Francisco, a splendid natural harbor at San Diego, one which I think has enlisted the admiration of every competent judge who has seen it. But San Diego is far—some 130 miles—from the seat of that extensive population of which Los Angeles is the center. It is not practicable, from a commercial point of view, to rely wholly upon transportation facilities there. In pioneer days San Pedro, or Wilmington, was sought by those navigators who saw fit to come to that part of California for trading purposes. The locality was called El Embarcadero, and there, through the estuary to which I have already alluded, the modest commerce of that time was transacted; but as population grew, Los Angeles, having according to the census of 1880 some 11,000 inhabitants, and at present having perhaps 100,000 inhabitants, with a populous country immediately adjacent to it, the necessity for another harbor increased and the requests for better facilities augmented.

The town of Santa Monica was founded years ago because of the enterprise and good judgment of the distinguished Senator from Nevada [Mr. JONES]. He built a railroad from Los Angeles to Santa Monica, called the Los Angeles and Independence Railroad. His design at that time, most laudable and worthily ambitious, was to extend his enterprise from Santa Monica to Inyo County, and possibly to Salt Lake. At any rate, everyone there was anxious that Senator JONES should succeed; but, for various reasons, unnecessary to enumerate here and beyond his control, the road fell into the hands of the Southern Pacific Railroad Company, and he failed to realize his plan and to bring about a result which would have advanced the wealth, prosperity, and happiness of the people.

Senator JONES at that period caused a wharf to be constructed at the town of Santa Monica. That location, I wish to impress upon the Senate, is not that where it is now designed to build the breakwater mentioned in the bill; that is, it is not the locality whereat the present wharf of Mr. Huntington is situated. I submit at this point photographs of Mr. Huntington's pier, which I hope will be examined. Senator JONES's wharf, after passing into the hands of the Southern Pacific Company, was allowed to go into decay, and finally it was partially eaten by teredos, and was then torn down and became a matter of memory.

At that time the Southern Pacific Company owned, as it does now, a large amount of property at San Pedro or Wilmington. There nearly all of its business was transacted. Redondo, a shipping place situated between Santa Monica and San Pedro, commenced to assume some commercial importance, and there a wharf was constructed. The water at Redondo is very deep, too deep, as the Government engineers found, to warrant any attempt at the erection of a breakwater. Redondo transacted much commerce, and finally Mr. Huntington, or the Southern Pacific Company, more accurately speaking, made an arrangement to get through the town of Santa Monica along the seacoast and up to the point where the wharf we are asked to protect now stands.

By the river and harbor act approved September 19, 1890, a board of engineer officers was constituted to examine the Pacific coast between Point Dume and Capistrano, with a view to determining the best location for a deep-water harbor, with a project and estimates for the work. This board consisted of G. H. Mendell, colonel, Corps of Engineers; C. L. Gillespie, lieutenant-colonel, Corps of Engineers; and W. H. H. Benyaurd, lieutenant-colonel, Corps of Engineers. This board preferred San Pedro. In submitting the matter to Congress General Casey, then Chief of Engineers, said:

OFFICE OF THE CHIEF OF ENGINEERS,
UNITED STATES ARMY,
Washington, D. C., December 13, 1891.

SIR: I have the honor to submit herewith a copy of report dated December 8, 1891, of the board of engineer officers constituted under the terms of the river and harbor act, approved September 19, 1890, to examine the Pacific coast between Points Dume and Capistrano with a view to determining the best location for a deep-water harbor, together with project and estimates for the work.

The board, after full examination, concludes that the selection of a site for a deep-water harbor within the limits designated by the act is restricted to the harbors in Santa Monica Bay and San Pedro Bay, and is of the opinion that San Pedro is the better of these, and submits alternative estimates of the cost of the necessary breakwaters, as follows:

If constructed of rubble and concrete.....	\$4,594,494
If constructed entirely of rubble.....	4,126,106

After a careful consideration of the facts in the case as presented by the board, its views as to the location and general estimates of construction are concurred in by me. The difference in cost of the two breakwaters, for the same arcs of protection, is over \$700,000 in favor of San Pedro, and when the other advantages of San Pedro, as detailed by the board, are taken into consideration, it would seem that its selection has been properly made.

Very respectfully, your obedient servant.

THOS. LINCOLN CASEY,
Brigadier-General, Chief of Engineers.

HON. L. A. GRANT,
Acting Secretary of War.

This report, made by these three officers, headed by Colonel Mendell, is alluded to here generally as the Mendell report. It is proper for me to state that, so far as the men who constituted this board are concerned, that they were not only experienced officers, but Colonel Mendell had lived upon the Pacific Coast, where he now resides, during more than a generation, and was absolutely familiar with all the work, all the governmental projects, and all local points upon which money was designed to be expended; and, as you will observe, General Casey, in sending this report to Congress, did not merely transmit it without comment, but he transmitted it with specific approval as to site selection and otherwise.

This board recommended a semi-detached breakwater; or a breakwater, I might say, more properly, in two parts, commencing near Point Firmin, the common point of commencement of the two boards, running thence into the ocean southeasterly to a point. There an opening of 1,500 feet was provided. Thence, at a point 1,500 feet southerly from the end of this part of the proposed breakwater, an extension thereof commenced and was designed to extend easterly 5,600 feet, to insure protection from the southerly seas.

The last board which was appointed by the Government recommended a breakwater commencing at the same shore point and running on a curve seaward and terminating at the easternmost extremity of the detached section of the Mendell breakwater.

After Colonel Mendell's report had been filed here, objection was made to an appropriation for the harbor recommended. The maps and illustrations referred to will be found in House Executive Document 41, Fifty-second Congress, second session, and also in the Mendell report of September 19, 1890.

When the latter report reached Congress the Senator from Maine, who I hope is giving me his attention, suggested that, in his opinion, the harbor was not properly located, and I believe through his instrumentality, owing to his prominent position upon the Commerce Committee, of which he was then, as now, the able and distinguished chairman, procured another board to be appointed; and Congress, in compliance with his desire and through his committee, which acted in unison with him in that regard, procured the adoption of a provision which will be found in the river and harbor act of July 13, 1892, as follows:

The Secretary of War is hereby authorized and directed to appoint a board of five engineer officers of the United States Army, whose duty it shall be to make a careful and critical examination for a proposed deep-water harbor at San Pedro or Santa Monica bays, and to report as to which is the more eligible location for such harbor in depth, width, and capacity to accommodate the largest ocean-going vessels and the commercial and naval necessities of the country, together with an estimate of the cost. Said board of engineers shall report the result of its investigations to the Secretary of War on or before the 1st of November, 1892; and \$10,000, or so much thereof as may be necessary, are hereby appropriated for said purpose.

A very distinguished board was appointed by the then Secretary of War, the honorable junior Senator from West Virginia [Mr. ELKINS]. The board so chosen consisted of the following: William P. Craighill, colonel (now general), Corps of Engineers; Henry M. Robert, lieutenant-colonel, Corps of Engineers; Peter C. Hains, lieutenant-colonel, Corps of Engineers; C. W. Raymond, major, Corps of Engineers, and Thomas H. Handbury, major, Corps of Engineers.

That board went to California, and convened in San Francisco and in Los Angeles. After their field work they went to the city of New York, where the various computations necessary to be made were completed, and finally prepared a most elaborate report, which is known upon the official files as House of Representatives Executive Document No. 41, Fifty-second Congress, second session.

I will state that this document is very difficult to obtain, but in the minority report, prepared by me, I have inserted the whole of the report, except the maps, and Senators can thus easily obtain the body of the report. If there were available copies of the report itself the same would be valuable because of the maps; but I think there are but few in existence.

In proceeding to consider this subject the board had before it not only the knowledge that its views would necessarily be the subject of that criticism which is always given to a public document of importance, but, in addition to that, the board had the advantage of the comments which had been made upon the Mendell report. They were well aware that it was only by a careful, painstaking, skillful, reliable examination and the announcement of well-founded conclusions that they could hope to produce any results beneficial to the Government. They set about performing the duties intrusted to them in the following way: As I have said, they visited the city of San Francisco and the city of Los Angeles. I was present for a while in the latter city during their deliberations. They had before them every means of reaching the truth usually afforded to men of impartiality. They did not meet in star-chamber session; they sent for no favorites or particular friends of anybody; but they gave public notice that they would be in the city of Los Angeles on a certain day, and that they would expect all interested to be present and to offer such facts as might be deemed pertinent to the matter in hand.

There were three places competing for the location of a deep-sea harbor at that time. One was Redondo, one was Santa Monica, and one was San Pedro. These interests were represented, not only by individual citizens who had their special opinions, but likewise by lawyers eminent at the bar and engineers of standing. The Southern Pacific Company was cared for by one of the best lawyers in California, a man apt and valuable in discussion and examination. The Santa Fe Railroad, which was interested at Redondo, was on hand, and the same was true of the advocates of San Pedro. They produced there not merely the views of the business men of that community, but they likewise tendered the expert notions of such persons as were deemed competent to express the same. Mr. Hood, the engineer of the Southern Pacific Company, who, with Mr. Corthell, has succeeded in impressing his notions favorably upon a majority of the committee, was there. He gave his conclusions, he had his plans, and he, as he always does, delivered himself with much skill and ability, and presented the advantages of his experience and his wishes to the board there assembled.

I speak of this, Mr. President, because it seems to be assumed that there was information, or that there were perhaps facts somewhere not brought to the attention of this board. I declare that I have never known a more fair, open, thorough hearing and examination than was given to these subjects at the hands of the Craighill board. The members of that organization are not unknown. They were, as were their predecessors, able and honorable men. It is unnecessary for me to pass any eulogy upon the Corps of Engineers of the United States Army. It is sufficient to say that intrusted, as they have been, with the discharge of delicate and important duties, and having in their keeping, as they have had, those interests which involve the expenditure of millions of dollars of money, often in the midst of contention—because money can never be disbursed without some dispute—there has never been a case, so far as I know, in the history of the Government where any ulterior influence has ever had the slightest effect upon a member of this remarkable corps. This fact justifies our pride and our confidence.

These engineers were not children in the work; they were not mere tyros; they were experienced men. It is said that they are fortification engineers. It is true they are fortification engineers; but, at the same time, there is not one of them who has not been in charge of riparian work, and in charge of all the important civil engineering work of the United States; and to-day we are in this bill giving the outlay of the millions to the members of that corps. These men, pursuant to law and under the direction of the Chief of Engineers, decide as to how this money shall be expended. It is upon their skill, upon their integrity, upon their good judgment, not alone as fortification engineers, but as persons skilled in riparian and harbor work, as men conversant with all the subjects involved in this bill requiring engineering skill that we rely, that Congress depends, and upon which the country, too, rests in security.

Mr. President, after these examinations, thus conducted by eight of the engineers of the United States Government, a second report was filed favoring the location at San Pedro, with the changes I have stated in the form of a curved breakwater, commencing and ending where the Mendell breakwater commenced and terminated.

I pause here. When Colonel Mendell, who headed the first board, and who, I might say, next to General Casey, was the ranking member of the entire Engineer Corps, made his report, he considered Santa Monica, but the only place suggested to him at that time for the location of a harbor was not at the point which has been since selected, but was opposite, or nearly opposite, the town of Santa Monica. The present scheme, as I have said, suggests a harbor, not in front of the town, but above it, at Port Los Angeles, the official name of the Southern Pacific wharf.

That location was disregarded by Colonel Mendell because of the abrupt and rocky shore. This statement can be verified by referring to page 8 of Executive Document No. 41. At the time Colonel Mendell reported there had been no attention called to the Southern Pacific wharf, for the obvious reason it had not then been built, but he rejected the location where that wharf is now found because of the abrupt shore. At the spot where the pier of Mr. Huntington stands, as shown by the photographs which I have passed around in the Senate, the bluff rises almost absolutely straight to the height of 200 feet. At the base of that bluff there is a comparatively narrow strip of land. The title to that strip,

so far as private property can go toward the ocean, is vested in those who own the property above. That ownership is dominated by Mr. Huntington. Of course, private ownership can not prevent the taking of property for public use, and the right of way can be condemned over the land of private parties whenever a proper statutory and constitutional showing is made.

But I am specially referring to the physical condition. There is a bluff rising 200 feet and a narrow strip below it. Now, let us assume, for the sake of argument, that there may be placed at the foot of that bluff a number of railroad tracks. It is said by the advocates of Santa Monica that eight or ten may be constructed there. I do not set myself up for an expert, but I do not believe this. It is, however, a mere matter of opinion. But there is no foundation or space there for buildings for warehouses, or any commercial edifices whatever. There is what we call a small canyon, or, more accurately, a diminutive gorge, coming in close to this wharf, furnishing enough level land for the erection by the Southern Pacific of a small building for engine-house purposes. Nothing else can very easily be erected there. At all events, Colonel Mendell thought the spot selected by Mr. Huntington was one which was not well suited to commercial purposes in the general sense, and he rejected it, and while preferring San Pedro, gave as the only possible harbor site in Santa Monica Bay a situation near the town of that name.

I am endeavoring to explain this matter in detail. It is, as I consider, of a great deal of importance that all these circumstances shall be understood. The bill proposes the expenditure of more than \$3,000,000, and I am endeavoring to present the arguments pro and con as well as I can, that the merits of the case may be carefully considered.

When Colonel (now General) Craighill's board met, the railroad company had not completed its wharf at Port Los Angeles. The work has proceeded considerably, and was attracted to the attention of the board. It was to that particular proposition that Mr. Hood and others who were interested for the Southern Pacific addressed their remarks. So far as the Craighill board was concerned they had the advantage of all the facts and arguments which the then situation afforded.

When that report came before Congress no action was taken. The fight was still on. Its suggestion was no more satisfactory to the advocates of the Santa Monica Bay proposition than had been the judgment of the first board. Here permit me to call attention to the report of the majority of the committee as to the Santa Monica item. I will ask the Secretary to read Appendix H, page 401, of the report of the committee. It is not very lengthy.

The PRESIDING OFFICER. The Secretary will read as indicated, if there be no objection. The Chair hears none.

The Secretary read as follows:

The river and harbor act of 1890 authorized the appointment of a board of three engineer officers "to examine the Pacific coast between Points Dume and Capistrano, with a view to determining the best location for a deep-water harbor." Their report was submitted December 8, 1891. In it the board stated that the only eligible sites were at San Pedro and Santa Monica bays, set forth the advantages and disadvantages of each as viewed by its members, and submitted estimates for breakwaters at each place.

For the breakwater at Santa Monica the estimate was \$4,549,494 and for that at San Pedro \$4,137,591. The board expressed a preference for the latter. This report may be found in the Engineer's Report for 1892, pages 2631-2639.

The Committee on Commerce, when it was considering the river and harbor bill of 1892, after considering this report and other evidence, concluded

that further light on the subject was desirable, and in that bill provided for a second board, consisting of five engineer officers, to make examination of these bays.

The report of this board was submitted October 27, 1892, and may be found in the Engineer's Report for 1893, pages 3238-3263. This report discusses relative advantages of the two bays at length, and concludes with the opinion that the location selected by the board of engineers of 1890 was the more eligible. An estimate of \$2,885,324 was submitted for a breakwater at San Pedro.

It was stoutly contended by persons having large interests in the commerce of the Pacific Coast and familiar with the local conditions that the opinion expressed by the Board was erroneous; that to act in accordance with it would be a waste of money; and in the river and harbor act of 1894 no appropriation for a harbor at either place was made.

While considering the bill herewith submitted, exhaustive hearings were given by your committee to parties representing both sides of this vexed question, including eminent engineers, both civil and military, and a conclusion was reached, in accordance with which a provision has been inserted for constructing a breakwater at Santa Monica Bay, at a cost not to exceed \$3,098,000.

Mr. WHITE. When this report was ordered to be made in the committee, I earnestly dissented from it, and reluctantly reached the conclusion that it would be my duty to file a minority report; and after consultation with those of my associates who thought as I did and to whom I was able at that time to submit the matter involved, I, together with the Senator from Arkansas [Mr. BERRY], the Senator from Louisiana [Mr. CAFFERY], and the Senator from Florida [Mr. PASCO], did file such report. I was not able to present the document at that time to the Senator from Missouri [Mr. VEST], who, generally speaking, agrees with our views, as he was unavoidably absent from the city, and I thought that the river and harbor bill would come up the following day and believed it advisable to place the matter found in the views of the minority upon the desks of Senators at the earliest practicable moment.

In the minority report we outlined the points upon which it seemed the views of the minority should rest. I will read an extract from the report:

The undersigned object to the amendment to H. R. 7977, making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, reported by the majority of the Committee on Commerce to the Senate April 27, 1896, which appropriates \$3,098,000 for the construction of a breakwater near Santa Monica, Cal. This item was not placed in the bill at the suggestion of either of the Senators from California, nor at the instigation of the Representative from the Sixth Congressional district of that State, wherein the site involved is located. On the contrary, both of the Senators and the Representative objected to the construction of the breakwater at the point named in the bill, and the overwhelming sentiment of the community prefers another location.

I ask the Secretary to read to the end of subdivision 7, as showing the considerations which justify the minority view.

Mr. FRYE. The Senator from California will allow me to say right here that a rule of the Senate adopted some time since requires a brief report as to each item which is contained in the bill. The clerk of the Committee on Commerce always drafts those reports from the reports of the engineers, in order that they may be conveniently at hand for any Senator to see. So far as the report with respect to Santa Monica is concerned, it was made precisely in that way. I did not even look at it; I did not even see it; I did not even read it. I never heard of it until the Senator had it read just now.

Mr. WHITE. I have not said anything that can involve a criticism of the report.

Mr. FRYE. I make the statement simply to account for the brevity of the report.

Mr. WHITE. Yes, sir.

Mr. FRYE. It is simply intended to refer Senators to the documents where, if they please, they can find the information in full.

Mr. WHITE. I was endeavoring to present the matter in rather complete form, and referred to the report of the committee, which of course is very general in its terms and contains none of the argumentations and none of the reasons upon which the Senator from Maine and other members composing the majority of the committee acted in voting for the placing in the bill of the item which I am criticising. I only mention the report so far as it reaches a conclusion from which I dissent. I have referred to it, as I have said, not because it estops Senators from giving additional reasons, or because it presents their view of the case, but merely because it is a part of the record.

Now, let the Secretary read the extract from the minority report.

The PRESIDING OFFICER. The Secretary will read as requested by the Senator from California.

The Secretary read as follows:

The following considerations are submitted as justifying this minority report:

(1) The appropriation as proposed is inadvisable. The bill is otherwise sufficiently burdened. The condition of the Treasury does not warrant the use of the public money for this particular work.

(2) There is no official recommendation or other authority justifying the making of this appropriation.

(3) Those officers of the Government to whom has been committed the charge and management of harbor improvements, and upon whose recommendations Congress has been accustomed to act, have uniformly and unanimously reported against an appropriation for a breakwater at Santa Monica. There has been no conflict in the Engineer Corps upon this topic, notwithstanding strenuous exertions by private and powerful interests, and although two boards specially commissioned to examine and report have faithfully discharged their duties.

(4) The action of the committee establishes a dangerous precedent. The entire disregard of the carefully formed and unbiased opinions of two boards of able engineers and the arbitrary location of this extensive work at a point demanded by private interests is a dangerous exercise of power and threatens the removal of needed protection to a frequently imperiled Treasury.

(5) The ultimate success of the work authorized is problematical.

(6) The proper site for a deep-sea harbor is not at Santa Monica but at San Pedro.

(7) If there is doubt as to the availability of San Pedro for a deep-sea harbor, then the expenditure of the appropriation should be made to depend upon the judgment of a commission provided for in this act. Such commission, after taking into consideration all the information theretofore collected and that still is obtainable, should decide as between San Pedro and Santa Monica and should report to the Secretary of War, and a contract should thereupon be entered into for the construction of a breakwater pursuant to such report.

Mr. WHITE. In order to give the Senate as full information from a scientific source as I was able to produce, I and my associates in the views of the minority submit a synopsis of the Mendell report and we proffer the report of the Craighill board in full. These are contained in the minority suggestions and constitute as to extent the main part of the same.

Right here I wish to allude to another matter. It is said in the minority report that the insertion of this item is not owing to the impertunity or the effort of either of the Senators from California or the local Representative. It is pretty evident from my attitude that it was not put in at my suggestion. It is equally certain that it was not placed there at the instigation of my colleague. At the hearing before the committee the very able gentleman who represents the Sixth Congressional district of California came

before our committee and stated his views upon the subject. I consider them of sufficient importance (they are not very lengthy) to justify presenting at least a part of the same, and I therefore request the Secretary to read from Congressman McLACHLAN's statement to the end of the fifth line on page 5, Hearings.

The PRESIDING OFFICER. The Secretary will read as indicated, if there be no objection. The Chair hears none.

The Secretary read as follows:

HON. JAMES McLACHLAN, member of Congress from the Los Angeles district, said:

"MR. CHAIRMAN AND GENTLEMEN: Perhaps it would be well for me to state briefly the history of harbor matters in the vicinity of Los Angeles. Something like twenty years ago an appropriation was made by Congress for the improvement of the inside harbor at San Pedro, and appropriations have been made from time to time for the improvement of that harbor until the total of the disbursements up to this time aggregate somewhere in the neighborhood of \$800,000. That was for the improvement of the inside harbor at San Pedro. The commerce of that locality is increasing rapidly, and it has become evident to all the people there that larger facilities are necessary to meet this increasing commerce. The Government engineers made a survey of what is termed the outer harbor at San Pedro and reported the feasibility of constructing a deep-sea harbor in that vicinity. A short time afterwards another survey was made by Government engineers, and I think that at that time they also made an investigation of Santa Monica, which is about 30 miles north of San Pedro.

"The reports of the Government engineers with reference to the investigation of these two harbors are matters of record here, and can be seen for themselves. It is a fact that those reports show that the Government engineers, on a comparison of the two locations, made a preference in favor of San Pedro for the second time. There has been a good deal of agitation over the question in the vicinity of Los Angeles, and there has been a wonderful conflict going on since that time between these two localities. Before I was nominated for Congress (this will show the condition and temper of the people at that time) I went on the platform of the Republican convention and stated that if I were elected I would go to Congress and would do all in my power to secure an appropriation for a deep-sea harbor at San Pedro. I think that every candidate on every ticket nominated in that campaign two years ago did the same thing. The general sentiment of the people, based largely, I suppose, upon the reports of Government engineers, was largely in favor of San Pedro for the deep-sea harbor. Those are the conditions on which I came to Congress.

"When I arrived at Washington in the beginning of this session I found, however, that the friends of San Pedro were in doubt as to the advisability of our contending at this session for an appropriation for an outside harbor at San Pedro. After consultation with each other, the friends of San Pedro decided that, on account of the depleted condition of the Treasury, so reported, and of the economical ideas which seemed to pervade Congress, it would be wise at this session of Congress to confine their efforts to an appropriation to deepen the inside harbor at San Pedro to 18 feet at mean low water, according to the report of Colonel Benyaard, who stated that, in his judgment, it could be done for \$392,000.

"I want to state to the committee that I was the last friend of San Pedro who finally assented to this course, and I think the friends of San Pedro will bear me out in stating that. I said to them that I was elected to come here to work for an outside harbor at San Pedro; that that was my pledge to the people, and that now I would not be justified in confining my efforts to the inside harbor. I was perhaps the last one who finally consented to this plan, because it was the best thing to do. I went before the House committee and asked the improvement of the inside harbor of San Pedro and an appropriation of \$392,000 for that purpose, stating at the same time that we did not forego our claims to the outside harbor at San Pedro. At that hearing there was no objection to the request made by us, and we left the committee with the request that we should receive an appropriation that would enable us to complete the inside harbor at San Pedro.

"Afterwards, and before the river and harbor bill was reported to the House, it was learned that the committee had put in the bill an appropriation for the full amount that was asked for the inside harbor at San Pedro, and had also included an appropriation (as we were credibly informed) of about \$2,800,000 for the construction of an outside harbor at Santa Monica. I am bound here to state, as the Representative from that district, that I never asked for an appropriation for Santa Monica. We simply confined our efforts to the inside harbor at San Pedro. And I am in duty bound to say, as a Representative from that district, coming fresh from the people,

that I am not here to-day asking for an appropriation for Santa Monica, but that I am here asking for an appropriation to continue that inside harbor at San Pedro according to the plan of Colonel Benyaard. And if in the wisdom of this committee it can see its way clear to give us an appropriation for an outside harbor, I am bound, under my pledges, to ask you to give that appropriation for the construction of the outside wall or breakwater at San Pedro."

Mr. WHITE. In addition to the extract which has just been read, I make the following quotation from Mr. McLACHLAN:

Senator ELKINS. You say that you appear here to get an appropriation for the inside harbor at San Pedro, and that you would like an appropriation for the outside harbor as well.

Mr. McLACHLAN. All the friends of San Pedro consider that on account of the economical tendency of this Congress, and on account of the condition of the Treasury, it would be wise to confine our efforts to getting an appropriation of \$392,000 for the inside harbor; but since we discovered a disposition on the part of the House to give more to the vicinity of Los Angeles, I say, as a representative of that people coming here with those pledges, and that if there is to be an appropriation for an outer sea wall, I ask it for the beginning of the outer harbor at San Pedro.

The CHAIRMAN. But you do not expect an appropriation of some \$3,000,000 for Wilmington Harbor provided the Government continues to make a deep-sea harbor at San Pedro?

Mr. McLACHLAN. Yes: because we believe that one of the most practical advantages to the deep-sea harbor will be the completion of the inside harbor at San Pedro.

Now, the Senate will understand that the \$392,000 referred to in this testimony by Congressman McLACHLAN is provided for in the pending bill; that is to say, there is an appropriation of \$50,000 and a continuing contract for an amount making the whole \$392,000 for the improvement of the inner harbor which I have described, and a photograph of which is here before the Senate, and his statement is therefore fully supported.

I wish to call the attention of the Senate to what I consider an extraordinary feature of this case—a peculiar feature of the controversy. It is and would be in any instance rather singular that the Congress of the United States should find it necessary to make an appropriation of public money in the face of the desire of local representatives, and it is almost impossible that such a condition of things can ever exist unless there is some uncommon influence not usually applicable and not generally brought into exercise.

Let us examine this situation. In the report of the committee, from which I have read the general synopsis, we find the following:

It was stoutly contended by persons having large interests in the commerce of the Pacific Coast and familiar with the local conditions that the opinion expressed by the board was erroneous; that to act in accordance with it would be a waste of money.

The opinions thus expressed were the expressions of the Southern Pacific Railroad Company, and that persistency which has been referred to has been and is the persistency, the potential persistency, of that company. I recognize the right of every man to proceed upon proper lines to gain all grants from Congress which his eloquence and skill, his arguments and persuasion, may be able to obtain, but I do not recognize the right of such person to control me without some argument demonstrating that the appropriation of this large amount of money in defiance of official recommendation is for the public interest.

Let me go a step further in the history of this matter. Mr. McLACHLAN in his lucid statement has perhaps made the matter plain enough, but I wish to allude to the subject, for I desire the Senate and every member of it to understand the situation, and

so understanding it if members of this body are willing to take the responsibility of voting away \$3,098,000 it is their affair, not mine. But I shall give the facts as I know them, and I shall state nothing that I do not believe to be true, and I shall gladly correct any statements which I may discover to be unfounded.

When the present Congress convened the situation of this matter was briefly as I shall state it. Nothing had been done upon the report of the board of engineers and no appropriation had been made. In the meantime Colonel Benyaure had devised the project for the improvement of the inner harbor to which I have referred. I called for that project, which was filed away in the War Department by resolution which passed the Senate at the close of the last session. Thereport of Colonel Benyaure was thereafter incorporated in the official records of the Chief of Engineers, and when the river and harbor bill came before the committee of the House for consideration I appeared there and so also did my colleague, and the distinguished member of the House already referred to was likewise there. We presented our claims for the further improvement of the inner harbor at San Pedro or Wilmington—I use the words indiscriminately—the Benyaure project, against which there was, so far as we knew or now know, no disclosed objection.

I stated there, as others did, that in view of the depleted condition of the Treasury, and because we deemed it wholly unlikely that Congress would care to embark in so expensive a work as a three-million-dollar outer harbor at this time, we should be satisfied if we were given a continuing contract for the inner harbor at San Pedro, involving the \$392,000. We left. Nothing more was heard by me of this affair until I learned indirectly that a provision had been printed in the draft of the river and harbor bill for two million eight hundred and odd thousand dollars for a harbor at Santa Monica or Port Los Angeles, and that \$392,000 had also, it was rumored, been appropriated for San Pedro.

Thus I discovered that to some extent my State occupied a higher plane than that upon which other Commonwealths have been in the habit of treading; that while there were some who were forced to solicit appropriations and to make arguments to obtain the same, in my instance such favors came not only unsolicited but unwanted.

Mr. GRAY. Thrust on you.

Mr. WHITE. However, a great local disturbance arose in Los Angeles. As shown by the hearings printed by the Committee on Commerce, a telegram was sent to Los Angeles stating that if the people there would unite they could have the inner harbor at San Pedro, but they must take with it the outer harbor at Santa Monica.

Mr. GEORGE. Who sent that telegram?

Mr. WHITE. The Representative. I will refer to the page in a moment. The result of it all was that the River and Harbor Committee dropped the whole matter, leaving only an appropriation of \$50,000 for the inner harbor at San Pedro on the Benyaure proposition and no continuing contract at all. Indeed, my State was not honored with any continuing contract in the bill as it came to this end of the Capitol. When the measure reached the Committee on Commerce the fight was renewed.

I neglected to say that the River and Harbor Committee had the benefit (not in my presence, however) of the testimony of Messrs. Corthell and Hood, whose views have been published by

the House. The combat was thence transferred to the Committee on Commerce. Upon a day fixed by common consent representatives from the State of California were brought here, business men, persons of standing and integrity, who represented both sides of the question. Some of those gentlemen (and their evidence is in the hearings here) argued in favor of Santa Monica and some in favor of San Pedro.

Petitions were filed; telegrams without number were received. One of my constituents stated to me, "Let us have the appropriation, even if it is to go to Arroyo Seco," which means "dry creek." The impression prevailed in the community that there was an opportunity to get \$3,000,000, and some thought that it was useless to longer make a fight for San Pedro, where the vast majority of the people wanted the harbor. Sooner than lose the appropriation for the inner harbor, and this large amount of money promised to be disbursed in the locality, they were willing to locate a harbor anywhere.

Of course that did not represent the universal sentiment. I may say the record here shows a telegram signed by some two or three hundred of the leading business men of Los Angeles insisting upon my advocacy of both appropriations for San Pedro. But if I had not received that telegram I should not have changed my position. It can not alter my attitude standing here in the discharge of a public duty merely because a vote of mine is to prevent the expenditure of money in my locality. If I know that that expenditure is not to be made in the public interest—that it is sought for a private purpose—I will not vote for it. Were I outside of official life, selfishness, which dominates many of us, and to some extent influences us all, might perhaps lead me to applaud an act which would involve local disbursement of such an elaborate sum. But I could not find myself authorized, and do not deem myself empowered, to appropriate one cent unless I find it to be for a public purpose and for the public interest.

Mr. Lankersham, a very prominent business man of my city and a person of excellent standing, was before our committee and was examined, and favored the selection of Santa Monica. The distinguished Senator from Arkansas [Mr. BERRY] asked him the question whether it was not a fact that the people in that section of the State had finally come to the conclusion that they had better take the appropriation, because influences surrounding the case were such as to render it impossible to authorize the outlay elsewhere. I refer to the exact language. It can be found in Hearings, page 64.

Senator BERRY. You say now you have changed your mind and that others have changed their minds.

Mr. BERRY. Read just before—the first question.

Mr. WHITE. Oh, yes.

Senator BERRY. You worked for years, did you not, trying to get this deep-water harbor at San Pedro?

Mr. LANKERSHAM. Yes.

Senator BERRY. You say now that you have changed your mind and that others have changed their minds. Is not that change of mind attributable in a large measure to the fact that these people have come to believe that the influences here at Washington were so strong against San Pedro that that harbor could not be built, and you came to the conclusion that it was better to take Santa Monica than none? Is not that a fact?

Mr. LANKERSHAM. Well, it is somewhat so. I was a good deal more in favor of San Pedro before I came here, but since I have heard the reports of these engineers I never will believe another day that a port can be built at San Pedro.

And so on.

Mr. GRAY. What engineers does he refer to?

Mr. FRYE. The civil engineers.

Mr. WHITE. He refers to Corthell.

Mr. FRYE. Corthell and Hood.

Mr. WHITE. Corthell and Hood. They were the engineers of the company.

Mr. GEORGE. Of what company?

Mr. WHITE. The Southern Pacific. Now, Mr. President, taking the situation as I find it, I have no hesitancy in the world in asserting that, as between the location at San Pedro and Santa Monica, were the people of my section permitted to make a choice there would be an overwhelming vote in favor of San Pedro. But there are those, and it can not be denied, who think that under prevailing conditions they can never obtain their preference, and they conclude that it is better to accept the situation such as it is without further contest and worry. That situation can not affect me; it should affect nobody. The question before the Senate is where ought this money to be put if it is expended at all. Mr. Hood and Mr. Corthell were practically before both committees; Mr. Corthell was personally before both, and Mr. Hood's statement was before both. These gentlemen, who were heard in behalf of the railroad company, explained their preferences, and Mr. Corthell not only made his argument before the committees, but as soon as the minority report already mentioned was filed I encountered in the hands of an employee of the Senate a printed document indorsed as follows:

DEEP-SEA HARBOR IN SOUTHERN CALIFORNIA.

Letter of Mr. E. L. Corthell, civil engineer, to United States Senators WHITE, BERRY, CAFFERY, and PASCO, of the Committee on Commerce, relating to their minority report on the amendment to H. R. 7977, making appropriation for the construction of a breakwater at Santa Monica, Cal., May 1, 1896.

Turning the title page, which appeared to indicate a report from the third house, I found the interior decoration as follows:

WASHINGTON, D. C., May 1, 1896.

HON. STEPHEN M. WHITE,
United States Senate, City.

DEAR SIR: On April 29 last you, representing yourself and Senators BERRY, CAFFERY, and PASCO, presented a minority report upon a location for a deep-sea harbor on the southern coast of California.

As the facts and opinions which I have laid before the Senate and House committees, and I may say the War Department, have been called in question in your report, it seems to me proper that I should at least remove some misunderstandings that evidently exist in the minds of yourself and your associates.

Then he proceeds in this charitable enterprise as follows:

From the time that I first appeared before the Senate Committee on Commerce, on June 19, 1894, I have frankly stated my professional connection with this question, both to the committees and to the War Department. Most of the statements which I have made are recorded in the printed reports of hearings. It is only necessary now to refer to the following, from an official communication addressed by me to the Chief of Engineers, December 13, 1895:

"Early in the spring of 1894 I was requested by Senator FRYE, of the Commerce Committee, and so stated by him before his committee, and by Mr. BLANCHARD, at that time chairman of the Rivers and Harbors Committee, and afterwards by Mr. CATCHINGS, subsequently appointed chairman of that committee, to make a careful investigation in reference to the question of location and plans for a protected harbor on the coast of southern California."

This extract, it will be observed, is what Mr. Corthell styles "an official communication."

Mr. GEORGE. Who is Mr. Corthell?

Mr. WHITE. He is an employee, in this matter, of the Southern Pacific Railroad Company.

Mr. GEORGE. Has he any connection with the Government?

Mr. WHITE. I am trying now to work out his connection. I am endeavoring to proceed through the sinuosities of the situation to a conclusion or to some tangible result. In other words, I am trying to anchor him with reference to his opinions. This alleged official communication was sent in December 13, 1895. Now, he proceeds:

I was aware of the decided difference of opinion existing even then (1894) as between Santa Monica and San Pedro.

Mr. Huntington, president of the Southern Pacific Company, had also asked me, as I was about to start for California, to examine the question of harbor location—

It will be observed that this was a mere incidental request—

as I was about to start for California, to examine the question of harbor location, but I considered that I was making the examination for the committee of Congress—

We will see what there is in that pretentious and presumptuous claim in a moment—

and I determined to investigate the matter exhaustively, to decide the important questions involved carefully and impartially, and to present my opinion to the committees. It therefore seems unnecessary for me to repeat now that had I found the location at San Pedro more advantageous than at Santa Monica, I should have reported so.

This is his letter to me which was never delivered, as I have stated, through any intentional instrumentality of its author. Now, let us look a little further. This gentleman was interrogated upon this subject when he appeared before the Committee on Commerce. I refer to the hearings. When he took the stand, so to speak, although perhaps that expression is technically inaccurate (no one was sworn, and the statements of the gentlemen who appeared there were all accepted without any other verification than their word) he stated, I refer to page 36 of the hearings before the committee—

MR. CHAIRMAN AND GENTLEMEN OF THE COMMITTEE: You recollect that about two years ago I made an examination of these conditions in California—as exhaustive an examination as if I had been employed professionally on the subject. I did it with the approval of three leading members of the Senate and House committees, and I came before you on the 19th of June, 1894, with a statement of what I had found and of my opinion in regard to where this deep-sea harbor should be located.

Later on the distinguished Senator from Arkansas [Mr. BERRY] asked the witness the following question:

Senator BERRY. In the beginning of your remarks you said something about going out there at the instance of Senators. Did I understand you to say so?

Mr. CORTHELL. I meant with the approval of Senators.

Senator BERRY. They did not employ you to go out there, did they?

Mr. CORTHELL. No, sir.

Senator BERRY. Who employed you?

Mr. CORTHELL. Nobody at the time; but afterwards Mr. Huntington paid my expenses. Mr. Huntington asked me, in the first place, if I would make the examination. I said that I did not think I would like to do so in my position, because it would be officious if I should make an examination and ask to be heard before a committee. I said: "If Senator FRYE and Mr. BLANCHARD (then chairman of the House Committee on Rivers and Harbors) would like me to make an examination I will make it."

Senator BERRY. There was no order of Congress for you to make it?

Mr. CORTHELL. No; I received a telegram from Mr. CATCHINGS while at San Diego, asking my opinion, but expressly stating that he did not intend to employ me, but that he wished me to give my opinion.

Senator WHITE of California. You had done some work for Mr. Huntington before that?

Mr. CORTHELL. I was, for four years, when obtaining a charter from Congress, the representative of six railroads at New Orleans, and the president of the Southern Bridge and Railroad Company while the charter was being obtained for a railroad bridge over the Mississippi, it was (by previous agreement among the directors of the companies) then transferred to the railroad interests. That was the object of getting the charter. I resigned my position as president and was reelected chief engineer, and Mr. Huntington was elected president. Those are my relations with him. Of course I was very glad, on account of these relations, to do anything which I could properly do that Mr. Huntington requested.

Mr. President, what justification is there for the assertion that this was an official investigation? I appeal not only to lawyers, but to those used to analyzing human statements and to determining the candor or want of candor of individual declaration, and I ask, Does any man believe that the person who thus addresses this communication to me and other Senators is any more than the employee of the interest in this case, which is making this determined contest for personal profit? Is there any question about it? Official position! Who conferred it? I repudiate, deny, and controvert the assertion that the Committee on Commerce ever authorized this man to make any investigation. They never did.

Does anyone suppose that in the year 1894 I, conscious of this man's relation to an interested party, ever would have consented to or permitted without emphatic demurrer his appointment in any such confidential place? Does anyone believe that I would have been willing to intrust my constituents' interests to one whom I knew was in the pay of a person toward whom my constituents occupied an antagonistic attitude? Senators, indeed, might, if they chose, ask Corthell to make the investigation. That was their individual affair. He was first sought by Mr. Huntington. Mr. Huntington had a right to ask him. It was Mr. Huntington's affair properly to examine into the case and to employ the most skilled men he could obtain. Mr. Corthell is a very able and skillful engineer, and for years, as his testimony shows, he has been associated with Mr. Huntington. He went out to my State and he made this inspection, and his expenses were paid by Mr. Huntington. I should have had a great deal more regard for Mr. Corthell if he had come out, like expert witnesses who are candid ought always to come out, and said: "Yes, I was employed and well paid for the work I did; it is good work, and I will stand by it and demonstrate that I am right." There would have been something about that which would have commended the man's utterances to me. But he has evaded the whole story.

Mr. President, it would have been singular had this man been sent to California officially to inspect a public improvement by gentlemen who were authorized themselves to act in committee upon that subject, without any record in their committee that it was so done. There never was any such appointment. There never was any such authority. I have resided for half of my life, for all my manhood's days, in the county of Los Angeles, where this improvement is intended to be made. I know its people pretty well. I know the surroundings of the case pretty well. My associate has lived upon that coast since 1855. He possesses technical and nautical knowledge regarding it which no other man here enjoys. This he has learned in the course of his business. The Representative of that district, fresh from the people, lives in the city of Los Angeles. Ought not we know perhaps something about it? Were we not worthy of consultation? There is an alleged public officer, a man who professes to be an employee of the Government, who

talks about his official communication, who visits our home and determines the merits of our arguments without even identifying himself. Mr. President, his investigation was uninvited by any committee, unsanctioned by any law. He was Mr. Huntington's agent then as he is now.

Mr. President, in so far as his statements disclose facts supported by reason so far are those statements valuable. In so far as he attempts to put himself in a situation of impartiality and fairness his efforts must prove unavailing. He is worthy of credit, as I say, as far as he is supported, but he is not entitled to that degree of confidence pertaining to an impartial man who, in the discharge of a public function, knows no master save his conscience, and does nothing merely to win individual monetary emolument. The one is ruled by a lofty sense of duty to his country, the other toils for the commendations of selfishness.

Therefore, Mr. President, we must proceed to examine such arguments as are adduced in support of these propositions upon their merits, without supposing that there is any official sanction for the report of the committee beyond that sanction which follows from our acts as Senators. It has been shown that the committee has had the regular reports of two boards of engineers; that their reports have been adverse to Santa Monica; that those politically authorized are similarly minded. Here I pause. I do not contend that any Senator or Representative has an absolute right to dictate to a committee where public funds shall be expended. As a member of the Commerce Committee I am only entitled to vote once—to vote my own notions—and I have no right to register the judgment of any other member. At the same time, perhaps, the custom which has grown up because of the teachings of experience is not a bad one—to pay some little respect to recommendations and representations of those who speak within this Chamber of the necessities of their homes.

But what is there before this body to offset the official disapproval from these two boards concurred in by General Casey—distinguished boards, as I have said—one presided over by the present General of the Engineer Corps? Is there anything official to cancel this disapprobation? I have disposed of the claim that Mr. Corthell represents anybody officially, unless it be the railroad company. Mr. Hood, an able engineer, gives his views. He is the chief engineer, and an exceedingly good one, of the Southern Pacific Company. We have his evidence.

Mr. President, we have cast aside the reports of our engineers, and of the Chief of Engineers, and the views of those locally interested, and we have adopted the conclusions of those who are personally, individually, and financially interested. We have refused to appropriate the public money and place it where it is said by impartial and competent Government officers its disbursement would be of use to the public, and we have taken it and placed it where these officers have said it should not be expended. Perhaps we are right, perhaps the committee is right; but let it be plainly shown before we act affirmatively; let it appear most clearly that the committee is obviously right. No dubious evidence will suffice to justify such a singular course.

Mr. GRAY. Let me ask the Senator if there is no recommendation of the board of engineers or other Government authority in favor of the appropriation for Santa Monica?

Mr. WHITE. None on earth. Not only that, but it is sought to appropriate \$3,098,000 for this improvement, when there is no

official estimate of the cost of that improvement or recommendation for it.

This is not a case, Mr. President, where a Senator rises from his seat and says, "Here is something of necessity, here is something about which I know everything," and there is no dispute, and he is asked, "Have you a recommendation?" "No; there is no recommendation, but I am cognizant of the facts; they are so and so." The Senate sometimes, in such cases where the amount is small, takes the risk and perhaps makes the appropriation. But the present is an instance where there is negation. This is a case where the authorities to whom we have committed this matter, in an advisory sense it is true, but to whom nevertheless we have committed this matter, have reported adversely. We are to make this enormous expenditure, not only without their recommendation, but in the face of their condemnation.

Mr. GEORGE. Will the Senator allow me a moment?

Mr. WHITE. Certainly.

Mr. GEORGE. I only wish to ask a question; I know nothing about the matter and I have not heard all the debate. Is it a fact that two boards of United States engineers, acting under oath, have reported against the appropriation recommended by the committee?

Mr. WHITE. Yes, sir.

Mr. GEORGE. Is it a fact that both the Senators from California and the Representative in the other House of Congress from that district are against the appropriation?

Mr. WHITE. Yes, sir.

Mr. GEORGE. Is it a fact that there is no other evidence upon which the Senate is asked to act except the statement of two men who are in the employ of the Southern Pacific Railroad Company?

Mr. WHITE. To be fair, I would say there is other evidence. There are gentlemen who testified before the committee; and, in addition to that, there is the personal knowledge, or whatever it may be, of those who have seen the locality, and who, upon that, have formed their views.

Mr. GEORGE. I mean any professional, any engineer reports?

Mr. WHITE. No, sir. I will say, however, that there are gentlemen upon the committee who have seen this location, notably the distinguished chairman, who has examined it personally, and who has reached a conclusion as the result of his examination. There are other members of the committee who are also familiar with it, very familiar with it. The Senator from Nevada [Mr. JONES] is very familiar with it, knows the ground thoroughly, and has for many years known it.

Mr. BATE. I should like to ask the Senator one further question, which I believe the Senator from Mississippi [Mr. GEORGE] did not ask.

Mr. WHITE. Certainly.

Mr. BATE. Is it or is it not a fact that all the boards and commercial organizations in the city of Los Angeles, which is tributary to this place, have decided in favor of San Pedro?

Mr. WHITE. The principal commercial board of the city of Los Angeles is the Chamber of Commerce. This board comprises within its membership most of the more prominent business men of that city. In 1894 the Chamber of Commerce of Los Angeles had a meeting and determined that its members should vote upon this subject, which they did, deciding by a large majority in favor of San Pedro. If the Senator from Tennessee will consult page

80 of the hearings he will find there an elaborate dispatch signed by men whom I consider to be representative business men of the city of Los Angeles, also in favor of San Pedro.

Mr. President, I dislike to go on further with this subject now. I will state the reason. I have been suffering from a severe cold for three or four days, and I feel the effects of it somewhat. I shall go on and finish in the morning. I should prefer to proceed now if I were physically able, but in my present condition I do not like to risk going on further to-night.

Mr. HARRIS. In view of the suggestion of the Senator from California, I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 11 minutes p. m.) the Senate adjourned until to-morrow, Saturday, May 9, 1896, at 12 o'clock meridian.

Saturday, May 9, 1896.

Mr. WHITE. Mr. President, I will resume consideration of my objections to the Santa Monica item of the river and harbor bill, and will now proceed to consider some of the claims made by the advocates of Santa Monica and also the objections raised to the San Pedro location, although I deem it unnecessary to a correct solution of the immediate question pending that any elaborate presentation of the particular subjects to which I allude shall be made, because the amendment which I have proffered involves the appointing of a commission to locate the harbor, and provides that upon a favorable report of a majority of the commission the appropriation shall be made available for the point selected by them. The merits of each site would thus be finally and satisfactorily settled.

I believe it has already been sufficiently shown and that it must continue to be apparent that there is at least reasonable ground to doubt the advisability of investing more than three millions of public funds in an unapproved breakwater site, and I trust that I may be able to show to the Senate that it is improper to make such an appropriation as is designed in the bill without any governmental sanction or without any regard to those safeguards which have heretofore been deemed essential to secure the proper disbursement of public money.

Notwithstanding the fact that I do not deem it absolutely material to consider objections to the contending locations, I will do so, as some may be influenced by the many charges and theories from time to time urged in this connection. In the views of the minority, page 31, occurs the following:

It is asserted that since the last report of the engineers was made Mr. Huntington and his associates of the Southern Pacific Company have constructed an extensive wharf at Port Los Angeles (Santa Monica), and that the shipping experience since had evidences the wisdom of the location. It is true that in ordinary weather vessels successfully discharge their cargoes at Mr. Huntington's wharf, but in this respect San Pedro possesses equal advantages. The evidence taken by the committee shows insurance rates to be less at San Pedro than at Santa Monica. The Mendell's report mentions that San Pedro Bay has been a shipping point time out of mind; that prior to the American occupation mariners touched there, and the locality was known as the "Embarcadero." During those periods no one thought of resorting to Santa Monica Bay.

In the letter circulated by and bearing Mr. Corthell's name I find the following response to the point to which I have just adverted:

On page 88 of the report of the hearing is a digest of certain affidavits made by shipmasters this year, who have, some of them, for two or three years been engaged regularly in loading and unloading vessels at Port Los Angeles. It is my pronounced opinion that had the commercial experience at the wharf at Port Los Angeles been available for consideration by the Mendell

board in 1891 it would not have hesitated to give an opinion in favor of building a deep-sea harbor at this place instead of at San Pedro. It is well known that the reason why "San Pedro has been a shipping point from time out of mind" is the existence of the mouth of a tidal lagoon at this place into which the small vessels which formerly plied along this coast could enter and unload upon the banks or wharves, and that it was not on account of any anchorage facilities which the open bay might possess.

In the same connection Mr. Corthell refers to the holding ground at San Pedro thus:

The contention in regard to holding ground at San Pedro has been, and is, that there are near the shore and in some other parts of the bay rocky areas which do not form good holding ground for vessels at anchor. It is generally conceded by shipmasters, and it certainly is evident from careful examinations made by borings and by experience in pile driving at Port Los Angeles, that that part at least of the Bay of Santa Monica could not have better holding ground.

Among the many fallacious impressions which obtain in some quarters, and perhaps yet prevail, in consequence of reiterated assertion, is the notion that the holding ground at San Pedro is not good. There will be found printed in the hearings before the Senate committee the statement of some forty-odd shipmasters who have visited San Pedro at different times, and their evidence upon this subject is absolutely conclusive. Those shipmasters have not called at that port during one or two years, but have plied up and down the coast of California for extended periods. The statements to which I refer are on page 24 of the hearings and extend to the middle of page 28. The original affidavits are on file with the committee, and the matter presented in the report is in digested form. I quote:

O. A. Olsen, master mariner: Have been acquainted, in my capacity as practical sailor, with San Pedro Bay and Harbor nine years. Have been in San Pedro Bay several times, and have anchored in roadstead. Very good holding ground. San Pedro has the better anchorage ground. San Pedro has the better natural protection from prevailing winds and swells.

F. G. Miller, master mariner: Have been acquainted with San Pedro Bay and Harbor, as a practical sailor, for thirty years. Have been in San Pedro Bay and Harbor six times. Always anchored in roadstead. Anchored in winter of 1880-81 and since to date. Good holding ground, and with good ground tackle I think vessel will lay safe to her anchors the year round.

Here is the case of a man who has been engaged in managing vessels, acting as master mariner on the Pacific coast since 1861, and he has frequently visited this bay.

H. A. Smith, master mariner: Have anchored in San Pedro Bay many times since 1888. Good holding ground. San Pedro best place for harbor. Is better protected from prevailing winds and swells than Santa Monica Bay.

John Peterson, master mariner: Have been acquainted with San Pedro Bay and Harbor twenty years, and have been there many times. Anchored in the roadstead. Very good anchorage ground. Have been acquainted with Santa Monica Bay twenty years. San Pedro has better anchorage ground and has better natural protection from prevailing winds and swells.

I will not read all the statements, but I will ask to have same incorporated in my remarks. Senators who care to do so may peruse these statements upon pages 24, 25, 26, 27, and 28 of the hearings. They are to the effect that the natural advantages of San Pedro are in every way superior to Santa Monica, and are specific and positive as to the character of the holding ground. These affidavits are made, not by theorists, but by men who have cast their anchors in that roadstead and know exactly what they are talking about. Their views should be regarded as conclusive. I submit their statements:

Sworn statements of sea captains as to holding ground for anchorage at San Pedro.

W. S. Southard, master mariner: Have been at San Pedro Bay and Harbor once. Anchored in the roadstead. First-class holding ground. Have been in Bay of Santa Monica, near Redondo. San Pedro is best place for harbor. Is

protected by islands on one side, mainland on the other. Latter protects from westerly winds, which prevail at different times of the year.

F. E. Magune, shipmaster: Been in San Pedro Harbor twelve times. Anchored in roadstead. The holding ground is good and very hard. San Pedro has better protection from prevailing winds and swells.

Barnard Olsson, master mariner: Anchored many times in San Pedro Bay, in roadstead. San Pedro best holding ground. Have always tried to keep away from Santa Monica Bay. The better anchorage ground is at San Pedro, by all means. San Pedro has better protection from prevailing winds and swells.

Henry A. Crocker, master mariner: Have been in San Pedro Harbor many times—too numerous to mention. Anchored in roadstead. Very good anchorage ground at San Pedro. Have been in Bay of Santa Monica. San Pedro has better anchorage ground and has better protection from prevailing winds and swells.

R. Brummer, master mariner: Have been in San Pedro Harbor many times. Anchored in roadstead. The holding ground is exceptionally good. Am acquainted with Bay of Santa Monica. San Pedro has better anchorage ground and better natural protection from prevailing winds and swells.

Charles Warner, master mariner: Have been in San Pedro Harbor many times. Anchored in roadstead. Anchorage ground very good. Was in Santa Monica Bay with cargo of piles and found great difficulty in discharging and holding ground very poor. San Pedro has better anchorage ground and better protection from prevailing winds, etc.

P. A. Johnson, master mariner: Have been on San Pedro route six years steady. Have anchored in roadstead many times. Good holding ground. Don't think favorably of Santa Monica. San Pedro has better anchorage ground and is better protected from prevailing winds and swells.

C. C. Birkholm, master mariner: Have been in San Pedro Bay and Harbor twenty times. Anchored in roadstead. Good anchorage ground. Have discharged two cargoes at Santa Monica. San Pedro has better anchorage ground and better protection from prevailing winds.

E. Christ, shipmaster: Have been in San Pedro Harbor many times. Always anchored my vessel outside. Have always found the holding bottom of first-class quality. Do not think there is any better. Never had occasion to anchor in Santa Monica Bay. San Pedro has better anchorage ground, I think. San Pedro has better natural protection from prevailing winds and swells.

O. Anderson, master mariner: Have been in San Pedro Harbor many times. Anchored in roadstead many times. Good holding ground. Have been acquainted with Santa Monica Bay since 1881, and do not know any good of it. San Pedro has better anchorage ground and better protection from prevailing winds and swells.

William Robb, master mariner: Have been in San Pedro Harbor twenty times or more. Anchored in roadstead. Have always found the anchorage good; in fact, superior to any bay on the Pacific coast, San Francisco excepted, and only except San Francisco on account of the harbor being landlocked. Have anchored in Santa Monica Bay on different occasions in small boats and yachts. San Pedro has better anchorage ground and better protection from prevailing winds and swells. San Pedro is sheltered from prevailing winds on Pacific coast.

John W. Aspe, master mariner: Have been in San Pedro Harbor about thirty times. Anchored in roadstead every voyage. Holding ground is good. Am acquainted with Santa Monica Bay. San Pedro has best anchorage ground and better protection from prevailing winds and swells. San Pedro is a safe harbor for the summer winds, with good holding ground. Santa Monica has a constant westerly swell, with very poor holding ground.

M. Olsen, master mariner: Have been in San Pedro Bay many times. Often anchored in roadstead. Good holding ground. San Pedro has best anchorage ground. Acquainted with Santa Bay only by my charts. San Pedro has better natural protection from prevailing winds and swells.

F. D. Wells, master mariner: Have been in San Pedro Harbor several times. Anchored in roadstead. I have anchored there in heavy blows and my anchors always held. San Pedro has best anchorage ground. Am acquainted with Santa Monica Bay. San Pedro has better natural protection from prevailing winds and swells.

C. Jansen, master mariner: Have been in San Pedro Bay many times. Anchored in roadstead. Good holding ground; most emphatically good. Am acquainted with Santa Monica Bay. I consider San Pedro superior in all weather from the fact that San Pedro is protected from all prevailing winds and seas. San Pedro has best anchorage ground, and is recognized by all seafaring men as a safe port to anchor in.

J. W. Grove, shipmaster: Have been in San Pedro Bay. Anchored in roadstead. Good holding ground. Have been in Santa Monica Bay twice. San Pedro has best anchorage ground and better natural protection from pre-

vailing winds and swells. The latter place is protected from the south by Catalina Island; from the north by the mainland.

William Kindlen, master mariner: Have anchored in San Pedro Harbor, in roadstead. San Pedro has good holding ground and shelter. Can not compare San Pedro with Santa Monica, for I do not know; but San Pedro is good. In my opinion San Pedro has better protection from prevailing winds and swells.

F. M. Johnson, master mariner: Have been in San Pedro Harbor many times. Anchored in roadstead. Good holding ground. Am acquainted with Santa Monica Bay from my charts. San Pedro has best anchorage ground and better natural protection from prevailing winds and swells.

David Robinson, master mariner: Have been in San Pedro Harbor, and anchored in roadstead. I think the bottom is very good holding ground. I have never dragged my anchor there. Am not acquainted with Bay of Santa Monica. In my opinion San Pedro has best anchorage ground and better protection from prevailing winds and swells. I have been over to Santa Monica, and I noticed that there is a very strong undertow, and I should think it would be very hard to hold a ship at the wharf. As to anchorage, I know nothing, only from hearsay.

John Slater, master mariner: Have been in San Pedro Bay and Harbor many times. Anchorage ground good. Am acquainted with Santa Monica Bay for twenty years, and I at all times wanted to keep away from it. San Pedro has best anchorage ground, and has better protection from prevailing winds and swells.

C. Ryder, shipmaster: Have been in San Pedro Bay and Harbor many times. Anchored in roadstead many times. Good anchorage ground. As between bays of Santa Monica and San Pedro the latter has best anchorage ground and better natural protection from prevailing winds and swells.

William Rosendall, master mariner: Have been in San Pedro Bay and Harbor many times. Anchored in roadstead many times. Good holding ground. Acquainted with Santa Monica a little by knowledge acquired from my charts. San Pedro has best anchorage ground and better natural protection from prevailing winds and swells. San Pedro is protected from all prevailing winds and swells, excepting severe winds and seas from the southeast; these the bay of Santa Monica is entirely exposed to.

Martin Chester, shipmaster: Have been in San Pedro Bay and Harbor between three and four hundred trips and anchored in roadstead many times. Good holding ground. Never knew of a vessel meeting with any accident on account of poor holding ground. I was master of the first vessel that tied up alongside of the old Santa Monica wharf. San Pedro has best anchorage ground and better protection from prevailing winds, etc. In my personal experience as master of different vessels bound for both ports I found that for safety and shelter San Pedro was preferable and more secure.

Richard Hillyer, master mariner: Have been in San Pedro Harbor and Bay hundreds of times. Anchored in roadstead. I have found anchorage good, and it can not be surpassed. Have been acquainted with Santa Monica Bay for many years. San Pedro has better anchorage ground under all circumstances than Santa Monica, and has better natural protection from prevailing winds and swells. Santa Monica has poor holding ground and but little shelter. I dragged my anchors in Santa Monica Bay, and was forced to go back to San Pedro Bay for protection.

R. P. Rasmussen, master: Have been in San Pedro Bay and Harbor. Anchored in roadstead twenty times or more. Have found the anchorage good for almost all winds, with hard blue clay for bottom, well adapted for holding ground, with a depth of water of from 5 to 15 fathoms. Am acquainted with bay of Santa Monica by careful study of charts. In my opinion San Pedro has best anchorage ground and better natural protection from prevailing winds and swells, San Pedro anchorage, with winds from due west to due south, is perfectly sheltered, while Santa Monica is exposed to both winds and swells between said points.

E. C. Generaux, master mariner: Have been in San Pedro Bay about ten trips. Anchored every trip, save one, in roadstead. Anchorage ground is excellent holding ground. No sudden rise and fall in the bottom and an average depth throughout the whole ground. Have been anchored in several gales and never dragged. Am acquainted with Santa Monica Bay, first from observations from the beach and how vessels anchored in the bay act, and from hearsay from shipmasters that have been there. From experience I know little concerning Santa Monica Bay, but I can plainly see that there is too much water for vessels to anchor safely. Very heavy undertow. San Pedro has best anchorage ground by far, as Santa Monica has too much water and not an even bottom. San Pedro Bay has better protection from prevailing winds and swells, as it is only open to southerly and westerly winds. A vessel will ride a gale in San Pedro better than Santa Monica.

Walter H. Mackie, master mariner: Have been in San Pedro Bay. Anchored in roadstead. Good holding ground. San Pedro has best anchorage ground and better protection from prevailing winds and swells than Santa Monica.

A. C. Glaser, master mariner: Have been in San Pedro Harbor and Bay several times. Anchored in roadstead. Good anchorage ground at San Pedro. Am acquainted with Santa Monica Bay. San Pedro has best anchorage ground and better natural protection from prevailing winds and swells. San Pedro is a natural harbor.

Edward Lewis, shipmaster: Have been in San Pedro Bay about ten trips. Anchored in roadstead. San Pedro is the very best holding ground, in my opinion, there is on the Pacific coast, basing my opinion from the fact of having discharged full cargoes of coal in the outer harbor. San Pedro has better protection from prevailing winds than Santa Monica. The prevailing winds for about ten months in the year come from the westward, and a ship at anchor in San Pedro Bay, being protected by Point Firmin, is safe from the wind and swells.

J. C. Hansen, master mariner: Have been in San Pedro Bar and Harbor many times. Have anchored in roadstead many times—too numerous to mention. Find from my varied experience that the holding ground at San Pedro is of the very best. In 1876 in Santa Monica Bay I came near losing the schooner *Hayes*, a new vessel. Had all my lines out, and also many lines furnished by the company, and barely escaped destruction. San Pedro has best anchorage ground and better natural protection from prevailing winds and swells.

A. P. Carlson, master: Have been in San Pedro Harbor various times and anchored in roadstead. Anchorage ground good. San Pedro has best anchorage ground and better protection from prevailing winds and swells. I have been in Santa Monica and rebuilt the wharf, and during that time I observed it to be a dangerous bay for shipping. Saw the seas break over the wharf at times while a personal observer.

J. Willey: Have anchored in roadstead, San Pedro Bay, ten or fifteen times during last year. First-class holding ground; sheltered from all winds except a southeast wind, which we have three or four times during the winter months. They last only short time. No trouble of a vessel riding if their anchors are clear and have out good scope. Vessels never go to Santa Monica unless they are compelled to. San Pedro has best anchorage ground and better protection from prevailing winds and swells.

O. Anfinsen, master mariner: Have been in San Pedro Bay and Harbor six or seven times each year during all seasons. Anchored in roadstead often. While master of the schooner *Bobolink*, in 1886, anchored there about once a month. Anchorage ground I find excellent, with good shelter from northwest and southwest winds, and from south and southeast winds. It is, in my opinion, better than any harbor south of San Francisco, barring San Diego, and I have been in all of them. Am acquainted with Santa Monica Bay no more than from casual runs up and down the coast. San Pedro has by far the best advantage. Santa Monica is an open ocean and no shelter. San Pedro has the most advantage of a harbor for shipping, it being inclosed by land in a half circle, whereas Santa Monica is exposed to all quarters of the compass, and the undertow there is severe on the ship's ground tackle, which does not exist in the outer road of San Pedro.

George Dettmer, master mariner: Have been in San Pedro Bay and Harbor many times. Anchored in roadstead many times. Good holding ground. Have been many times in Santa Monica Bay and its locality. San Pedro has best anchorage ground and has better natural protection from prevailing winds and swells.

E. W. Sprague, master: Have been running to San Pedro Harbor off and on as master of vessel for twelve years. Always anchored in roadstead every trip. Have found it first-class holding ground, and have never known a vessel to drag anchor there. Am acquainted with bay of Santa Monica to my sorrow. My experience is a heavy westerly swell setting in the year round, and westerly wind has full sway, and there is no protection from them. San Pedro has best anchorage ground and better protection from prevailing winds and swells. Westerly winds are the prevailing winds and always a westerly swell, and San Pedro has a protection from them already, and Santa Monica has not, and in my opinion it never can have. Can easily anchor 100 ships in outer bay of San Pedro in a westerly gale in perfect safety.

O. Peterson, master mariner: Have been in San Pedro Harbor about one hundred times. Anchored in roadstead many times. Good holding ground. Have been acquainted with Santa Monica Bay since 1878. San Pedro has best anchorage ground and better protection from prevailing winds and swells.

F. O. Raven, shipmaster: Have been in San Pedro Harbor many times. Anchored in roadstead. Have anchored and laid in all kinds of weather and never dragged my anchors. Have been acquainted with Santa Monica Bay for eighteen years. San Pedro has best anchorage and better protection from prevailing winds. Have laid in Santa Monica Bay with cargo and discharged my cargo with great difficulty.

Alexander Smith, master mariner and pilot: Have been in San Pedro Bay and Harbor about five hundred times. Anchored in roadstead both light and deep draft. Anchorage ground is very good and will hold a long time if your

anchors are clear. Am very well acquainted with Santa Monica Bay. San Pedro has best anchorage ground, and has better natural protection from prevailing winds and swells for three hundred and sixty days in the year. Santa Monica Bay has not good holding ground for any vessels' anchors; the bottom is too hard until you get 14 miles to the southeast of the new Santa Monica wharf. San Pedro Bay is the most eligible location for a deep-water harbor because the half of a natural harbor is there already.

Claus C. Hansen, master: Have been in San Pedro Bay and Harbor twenty times and more and have anchored in roadstead. It is a very good holding ground. San Pedro has best natural protection from prevailing winds. It is a better protected roadstead from westerly winds, which are most prevailing. Catalina Island protects some. Do not see any protection for Santa Monica Bay from any islands.

P. Sonerud, master mariner: Have been in San Pedro Bay and Harbor between twenty and thirty times and anchored in roadstead. There is a good holding bottom, and I think a vessel can lie perfectly safe in most any kind of weather. Am acquainted with Santa Monica by study of chart and wind and current setting into that place. San Pedro has best anchorage ground, and better protection from prevailing winds. From my constant trading to San Pedro I have always found it a safe place, and that the outside harbor has a natural protection from the prevailing winds that blow there; and, furthermore, never saw any swell setting in to interfere with discharging of deep-water vessels that always lay in the harbor discharging freight.

R. Johannessen, master mariner: Have been in San Pedro Bay and Harbor about a hundred times. Have anchored in roadstead many times. Anchorage ground there is excellent. Am acquainted with bay of Santa Monica for twenty-three years. San Pedro has best anchorage ground, and better protection from prevailing winds.

Is there anything in the proposition of Mr. Corthell and others that the Mendell board were ignorant of the situation and would have reached a different conclusion had they been aware that a wharf such as that of the Southern Pacific could be erected and maintained at Port Los Angeles? There is nothing anywhere to justify the assertion.

I have no doubt from the shipping experience at San Pedro that it would be possible to construct and operate a wharf there extending into the roadstead. The constant use of San Pedro Bay for years for shipping uses demonstrates this.

It is conceded that Mr. Huntington has built a magnificent pier at Port Los Angeles and that he is able to handle shipping and transact business there. There are sometimes difficulties incident to rough water. Trouble of that kind has been lately experienced.

It has been said there never has been an accident at the Santa Monica wharf and that ships have been wrecked at San Pedro. San Pedro Harbor has been utilized for commercial purposes, as the evidence before us shows, from time out of mind. No doubt in stormy seasons vessels can not at all hours lie there in safety, and there is evidence that there have been wrecks within that harbor. It is admitted that certain vessels have drifted ashore at San Pedro. But during the time that Mr. Huntington's wharf has been in operation at Santa Monica there have been no disasters at San Pedro—none whatever. It so happens there have been no very serious storms since that structure has been called into existence, and consequently no losses at either place. When the Mendell Board examined this subject they did not content themselves with equivocal language, but they announced their conclusions (page 9 of the Mendell report) thus:

In view of the fact that San Pedro Bay in its natural condition affords better protection both from prevailing winds and from dangerous storms than Santa Monica Bay; that protection can be secured at less cost for equal development of breakwater at the former than at the latter; that a larger area of protected anchorage from the prevailing westerly swells can be secured, the severe storms from the southeast being infrequent, and that there is already an interior harbor that will be a valuable addition to the outer harbor, the Board considers San Pedro Bay as the better location for the deep-water harbor provided for by the act.

It was never supposed by Colonel Mendell or anybody else that a wharf would not stand during ordinary weather at the place pointed out by Mr. Huntington and selected by him. No one has ever argued that the storms upon the southern California coast are severe enough to destroy a well-built pier, unless in exceptional cases.

It is evident from an inspection of the coast of Santa Monica Bay, where the railroad wharf is located, the westerly swells, admitted to be common and severe, must directly affect Santa Monica Bay. There is nothing to prevent such a swell disturbing the sea behind the breakwater proposed by the majority. The southwesterly swells and the westerly swells are those which mariners fear. It is shown by conclusive proof that, while the wind sometimes blows from the southeast, the swell never proceeds from that direction. The San Pedro breakwater is so designed as to completely intercept westerly and southwesterly swells. The breakwater will cut off the swell completely, and it is therefore a matter of indifference whether there is or is not deep water west of Point Firmin.

In the immediate neighborhood of the breakwater at San Pedro the water is not extremely deep; the bottom recedes, proceeding westerly, with considerable rapidity; but Mr. Corthell's diagram portraying the suddenness of the deepening near Point Firmin is not fair. No doubt deep water can be found by proceeding westerly from the point. But if Mr. Corthell will make his soundings southeasterly or southerly or toward Catalina Island he will find a gentle slope and better water than exists near Port Los Angeles.

Such a diagram can be made to show almost anything, depending upon the direction selected.

I have referred several times to the deep-sea matter and have, perhaps, given more attention to the point than it deserves; but I wish to quote briefly from the report of the Craighill board, showing that those gentlemen took the subject into consideration and examined it with care. I read from page 6 of the Craighill report, as follows:

HYDROGRAPHY.

Throughout Santa Monica Bay the depth is very irregular—

That statement is fully justified by the charts—

Abreast of Santa Monica village there is a depth of 40 fathoms 4 miles off-shore, but off the beach, south of La Ballona, a submarine plateau 4 miles wide extends for 8 miles to the southwest, with depths very uniformly increasing to 40 fathoms, the bottom being gray sand, mud, and gravel—

This plateau is towards San Pedro from Santa Monica and is not necessarily involved here—

Westward of this plateau, toward Point Dume, the depth increases rapidly to nearly 300 fathoms, carrying 200 fathoms within a mile south of the point, and the bottom is muddy. On the east of this plateau, toward Point Vincente, there is a remarkable submarine valley only 1 mile wide between the 100-fathom curves, carrying from 280 to 100 fathoms to within 1 and 1½ miles of the beach, with a muddy bottom. The eastern side of this valley is very steep, dropping from 40 to 200 fathoms in three-eighths of a mile. The western side is more sloping, but the slope from 100 fathoms is very sharp. It has been named by Professor Davidson the Vincente Submarine Valley. Near the southern end of the bay a well-marked current running to the northward and westward has been observed.

I refer to this description to prove that the Bay of Santa Monica throughout—not merely in one particular point, but throughout—is irregular, and that the uniform grade or slope is largely the

offspring of Mr. Corthell's poetic fancy. The report further proceeds:

The line of 10 fathoms, which may be considered the practical outer limit for breakwater construction, and the line of 5 fathoms, which is the inner limit of the deep-water anchorage, for both Santa Monica and San Pedro bays, are shown on the map accompanying this report.

And an inspection of the Coast Survey maps will fully sustain everything I have said upon this proposition.

In the minority report it is said:

It is claimed that the proposed breakwater at San Pedro is not protected from southeast gales; that therefore that locality is not desirable for harbor purposes, and that the land projection which culminates in Point Firmin shelters Santa Monica Bay from these winds. This subject has been carefully considered in the reports already noted, and the conclusion there reached by the gentlemen who examined into the matter was that no danger is to be anticipated from the southeast gales. It may be remarked in this connection that the inner harbor at San Pedro, which it is conceded is perfectly sheltered and upon the surface of which scarcely a ripple is ever observed, is largely exposed to the so-called dangerous southeast gales, and yet the shipping within that inner harbor has never been disturbed thereby. Manifestly, no breakwater can ever protect any harbor from wind; the essential feature in such cases is the guarding against ocean swells. The difficulty in this respect proceeds from the west, and the proposed breakwater at San Pedro will afford complete protection from this peril. A vessel lying within the proposed San Pedro Harbor with sails unfurled might be disturbed by southeast winds, but naked masts could never present sufficient surface for the serious operation of any wind likely to visit that coast.

In his letter heretofore mentioned Mr. Corthell says:

The objection stated by me and others upon this point is that the harbor, not the breakwater, is unprotected from southeast gales, and that the entrance to Wilmington Harbor is entirely unprotected from these gales by the breakwater as designed, and an examination of the charts of the harbor and of the plan will evidence this to anyone.

In the report of the Craighill commission (H. R. Ex. Doc. 41, Fifty-second Congress, second session) we have a map, the second in that publication, from which it appears that the proposed breakwater at San Pedro protects an extended area, including the 7-fathom curve, from winter storms and from the western swells.

The subject of harbor protection is treated of in that report and the conclusion reached that the smooth surface at San Pedro is much more than that at Santa Monica. I call attention specifically to this matter, and invite study of the contrasts.

For the purposes of comparison—

Says Craighill, page 17—

the anchorage areas for the Santa Monica harbors are assumed to be the areas included within the breakwaters, the lines drawn through their ends normal to the shore, and the 6-foot contour; and for the San Pedro Harbor the area included between the breakwater, the line drawn from the end of the breakwater to Deadmans Island, and the 6-foot contour. The deep-water anchorage is assumed to be the area over which there is a depth of at least 30 feet; the remaining area will be referred to as the inner anchorage.

I will ask the Secretary to read, beginning with the last paragraph on page 17 down to the end of page 18 of the pamphlet which I send to the desk.

The PRESIDING OFFICER (Mr. HILL in the chair). Without objection, the Secretary will read as requested.

The Secretary read as follows:

ADVANTAGES FOR SHELTER AND FOR HANDLING FREIGHT.

For the purposes of comparison, the anchorage areas for the Santa Monica harbors are assumed to be the areas included within the breakwaters, the lines drawn through their ends normal to the shore, and the 6-foot contour; and for the San Pedro Harbor the area included between the breakwater, the line drawn from the end of the breakwater to Deadmans Island, and the 6-foot contour. The deep-water anchorage is assumed to be the area over

which there is a depth of at least 30 feet; the remaining area will be referred to as the inner anchorage.

The total anchorage area at the San Pedro Harbor is 1,187 acres. This includes the area in Wilmington Harbor. The deep-water area is 339 acres and the inner anchorage 848 acres. The harbor at Santa Monica village has a total anchorage area of 1,078 acres. The deep-water area is 602 acres and the inner anchorage 476 acres. The harbor above Santa Monica Canyon has a total anchorage area of 994 acres. The deep-water area is 479 acres and the inner anchorage 515 acres. In the Santa Monica harbors the inner anchorage will be very much diminished by the wharves, which must extend completely across it to reach deep water. This is not the case to the same extent in the San Pedro Harbor.

To compare the exposures, it is assumed that so much of the anchorage area as lies north of southeast and southwest lines drawn through the ends of the breakwaters is not fully covered from the heavy swells. The harbor at San Pedro has a protected area of 852 acres and an unprotected area of 335 acres. The harbor at Santa Monica village has a protected area of 209 acres and an unprotected area of 869 acres. The harbor above Santa Monica Canyon has a protected area of 221 acres and an unprotected area of 773 acres.

The harbor above Santa Monica Canyon, within the anchorage limits assumed, has a land frontage 8,000 feet in length available for the construction of wharves. The harbor at Santa Monica village has a similar land frontage 8,000 feet in length. In the harbor first mentioned, however, the land approach to the wharves is narrow and not capable of extension except at great expense, and there is no available place for the construction of interior basins. The conformation of the ground is such that free access to the landing facilities of the harbor would not be easily attainable by all parties engaged in the business of land transportation.

At Santa Monica village, on the other hand, the approaches from the land are more open, and at La Ballona an interior basin could be readily formed. At San Pedro there is a land frontage of 4,300 feet in the outer harbor without including the inner line of the breakwater. Since the breakwater is connected with the shore, a railway can be constructed along it, and wharves can be readily projected from its inner face. This advantage would be sacrificed if a western entrance were established. This gives for the outer harbor an additional frontage of 8,000 feet and a total frontage of 12,300 feet. The frontage of the inner harbor is about 4 miles long. The total frontage for the whole harbor is therefore 33,420 feet, or about 6 $\frac{1}{4}$ miles. The approaches are good, as they include both sides of the harbor, and Wilmington Harbor forms a magnificent interior basin.

In every harbor a portion of the area must be more or less exposed, owing to the necessity of providing convenient communication with the sea. In a port of commerce it is of great importance that the harbor should be so located and designed that the landing facilities should be established in the most sheltered part. In the Santa Monica harbors this imperative condition is entirely neglected, the landing facilities being necessarily situated entirely within the exposed area. As a consequence of this the wharves will not be well protected during storms, and small vessels will crowd the quiet spaces of the deep-water anchorage. At the San Pedro Harbor the landing facilities are situated within the unexposed area, and small vessels will find their best shelter in bad weather within the inner harbor.

The deep-water anchorage area is amply sufficient in all the harbors and can in all be readily extended in the future. In the San Pedro Harbor the landing facilities can be greatly extended within the inner harbor without any addition to the outer breakwater. This is not the case in the Santa Monica harbors.

In all the harbors the holding ground is good. Some doubts have been expressed with regard to the character of the holding ground at San Pedro, but after diligent inquiry the board is satisfied that it is as good in this location as in the others.

Mr. WHITE. The Senate will observe, therefore, that the Craig-hill board, perhaps to a greater extent and more carefully than that presided over by Colonel Mendell, took into consideration the relative value of the protection afforded by each plan of harbor construction, and concluded, in direct antagonism to the opinions of the Southern Pacific engineers, that the San Pedro project would afford more extended safe anchorage facilities.

It is said, and this is one of the favorite arguments of the majority of the committee, that running a line directly from Point Vicente to Point Dume there will be a water inclosure extending landward from the center of such line 12 miles, whereas San Pedro Bay, according to Mr. Corthell's first statement before the Com-

merce Committee, in 1894, when similarly examined, manifests only 6½ miles. This may reasonably be said to be an advantage, as far as it goes, favoring Santa Monica. But this circumstance was considered by the boards mentioned, and was not deemed vital or controlling.

You will observe upon the photograph of the Santa Monica shore, which is upon the blackboard, the real character of that so-called bay. It is nothing but an open roadstead; there is a 12-mile indentation, and it must be between 30 and 40 miles from Vincente to Dume, and looking from the shore out to the ocean the exposure is absolute; the waves roll in, as appearing upon the photograph, comparatively uninterrupted. There is but slight evidence of an actual bay in this case.

The wharf of the Southern Pacific Company, around which we are asked to place this governmental protection, is located in Santa Monica Bay, as shown on the photograph, and northerly and westerly of the town of Santa Monica. In my judgment the Mendell board was correct in saying that the very best site to be found in Santa Monica Bay was nearly opposite the town of that name. There the bluff is not remarkable. It recedes as we go east and south, until at South Santa Monica there is no precipice and the favorable conditions spoken of by Colonel Mendell can there be found. If we are to have a harbor in Santa Monica Bay this is the proper location. But such a work would be most accessible. The proprietors of the wharf which we are about to protect preferred a different spot, less open to intrusion and not as readily subject to competition.

In the testimony taken before the Commerce Committee it is said that there is ample room along the shore of the ocean from Santa Monica to the wharf for ten or twelve railroad tracks. The Santa Monica shore from the wharf to the town is an ordinary seabeach. The waves roll over it, not tempestuously, but in a manner usual on the southern California coast. Thousands from the city of Los Angeles visit this region for the purpose of seaside bathing. Santa Monica itself—a very delightful town and growing in seaside importance—is in the immediate vicinity of the most favored bathing spot. There are extensive and finely constructed bath houses, occupied and used in the summer, indeed, to some extent throughout the whole year, but principally in the summer, by anxious crowds coming from the city of Los Angeles and the interior. These people resort to the sea for objects of health and diversion. The presence of one railroad track within the municipality of Santa Monica and upon the seabeach is a positive disadvantage. Any person walking along the bluff, at the foot of which the railroad runs, while a locomotive is passing will find the cinders excessively disagreeable; and while there is yet sufficient space between the bluff and the shore to enable the ordinary pursuits of pleasure which accompany diversions at the seaside, yet if there are to be additional tracks laid along that shore, if railroad freight and passenger traffic is to be carried on there by several railroads, the locality will cease to be available for present uses.

The question as to how many tracks may be placed along that shore is a matter entirely within the jurisdiction of the board of trustees. No condemnation proceedings can procure a right of way along the ocean within the town limits until after an affirmative vote of the board of trustees. I assume that that board will properly discharge its duties and will not permit the extension of that which is already a nuisance.

But it is contended that the proposed harbor can be reached by means of Santa Monica Canyon. It is possible, and I think practicable, to obtain a grade through the Santa Monica Canyon. But the route is circuitous, and a road thus built would be longer than that of the Southern Pacific Company. But when the shore is reached the expense will have but begun.

If we assume that the breakwater designed by the Southern Pacific engineers would be sufficient and adequate to protect an area great enough to permit the erection of two or three large wharves as proposed, nevertheless the expense is almost prohibitory. It will cost at least three-quarters of a million dollars, and probably more, to build a wharf, to say nothing of the right of way and other difficulties of access. Now, it is proposed in this bill that the Southern Pacific Company shall give the use of their tracks upon this wharf to any railway that will pay a sufficient pro rata proportion of the cost thereof, to be fixed by the Secretary of War. There is now but one track and one wharf. If the business grows to the magnitude expected, these will never suffice. If it does not grow to that magnitude, then there is no justification at all for the proposed expenditure. Mr. Huntington will not make any foolish trades. His road will have an advantage at Port Los Angeles that no other road can enjoy.

At San Pedro, as shown in the report of the engineers, not only is the Southern Pacific already on the water front, but there is also a competing railroad upon the other side of the inner harbor, and while the latter would not be directly connected with the outer harbor, still the proximity is such that there could be no difficulty in the transference of shipping from one point to the other, especially if the inner harbor be deepened under the Benjaurd project.

It is said that the bluff near San Pedro, some 60 feet in height, presents insuperable obstacles to reaching the shore. I do not think it will be necessary for the purposes of commerce for years to come to build piers in any outer harbor on our coast. The inner anchorage will suffice; but, assuming that the demands of trade require such harbor to be reached from shore, there is no difficulty in making a grade, as the Southern Pacific did to the wharf which it commenced to build and afterwards abandoned at San Pedro, and thus reaching the shore. Colonel Craighill says in his report, and all of his colleagues agree with him, that the breakwater itself could be utilized for railroad tracks, thus using the interior of the bay right along the line of the breakwater for slips. This, Mr. Cortwell says, is impossible. He takes issue with the engineers upon this proposition. I will quote his language. He says:

Considering the location of this proposed breakwater—immediately under a vertical bluff, in the open ocean—and the impracticability, as shown by the physical facts, of building a railroad track under the bluff in the protected harbor, it is difficult to see how the top of this dike could be made accessible to railroads, and I think I am safe in saying that on a dike 10 feet above the surface of the water, or even 20 feet above the surface of the water, in such an exposed location a railroad could not be operated, or even maintained upon it, on account of the waves during heavy storms, at least, coming over the top of the breakwater, not only making the track unavailable, but also throwing masses of water upon the wharves placed under it. I have made no estimates of the cost of a breakwater at this place that would admit of the operation of a track upon it and of wharves behind it, but I should think it would cost twice, perhaps three times, as much as the breakwater shown on the plans of the Government engineers.

The Craighill board is positively to the contrary.

Since the breakwater—

They say—

is connected with the shore, a railway can be constructed along it, and wharves can be readily projected from its inner face. This advantage would be sacrificed if a western entrance were established.

At the hearings Colonel Hains, who was a member of the board, gave an opinion of a similar character. He says:

There is another thing in regard to the continuing breakwater. The first board recommended two breakwaters, with a gap. I do not think that there is any trouble about the filling in with sand, which some people apprehend, from the deposits along the shore. If the breakwater is continuous with the shore, it enables a protected area on the inside of this breakwater to be used for docks and that sort of thing. Often the inside breakwaters are used for docks and landings.

The breakwater at San Pedro can be approached by a cut. It is true the Southern Pacific Company claims to own land there. A considerable part of the property on the San Pedro bluff is controlled by that company; not all of it, however. The Government owns a reservation there, and private parties have holdings. However, condemnation proceedings properly conducted will remedy this trouble. The building of a track upon the breakwater will depend upon the demands of business. If the exigencies of the case warranted, a track would be laid upon the dike, and would afford superior facilities for harbor access. It hence appears that there is an available method of reaching an outer harbor at San Pedro preferable to anything at Santa Monica. Of course at San Pedro wharves might be built into the sea, but such a programme would be attended with the expense of which I complain. For years to come there will be ample room in the inner harbor, when improved, for our commerce; and the San Pedro deep-sea area will accommodate vessels at anchor awaiting an opportunity to discharge.

Mr. President, there is another criticism to which I deem it wise to reply. I refer to Mr. Corthell's theory of the littoral current which moves sand in a northerly direction along the coast. He avers that the effect of the breakwater, constructed as proposed by the Craighill board, would be to detain a large amount of these sands near the shore and gradually destroy the harbor, or make it necessary to dredge extensively. Perhaps some little accumulation might occur. If so, it could be readily removed. Nowadays a reasonable amount of harbor dredging is an attendant upon nearly all public works of this character. One of the few exceptions is afforded by the Wilmington inner harbor, which has ever since governmental improvement always kept itself clear. But both Major Raymond and Colonel Hains are positive that no danger is to be apprehended from any sand deposit. They have studied the question carefully; it is considered in the reports from which I have quoted. All the Government experts rest their reputations as experts upon the proposition that no serious harm will accrue. Mr. Corthell, in the communication with which he has honored me—though delivery of the same was omitted—informs us that there are known instances of moving sands impelled by littoral currents upon the Pacific coast. He tells me that I am acquainted with the condition of affairs at San Diego Bay, and that I must be aware that at the point where a jetty is now under process of construction at the entrance to that bay sand accumulates.

This statement is true, but the movement of sand particles there is manifestly attributable to the rush of water into the bay caused

by the tidal rise. The torrent flowing with wonderful power in or out of the narrow harbor entrance is a sight worth witnessing. This naturally disturbs the sand and the inward current tends to accumulate the material below the jetty rapidly and obviously. I attracted the attention of Mr. Corthell to the fact that a ship laden with coal some years ago was wrecked at San Pedro; and that a large quantity of the coal was picked up afterwards south of that point, at the town of Long Beach. I asked him how he accounted for that consistently with his theory. He gave the explanation which I shall read, which, I must confess, does not seem to me to be entirely conclusive. The following is the statement:

Senator WHITE, of California. Before you reach that, I want to say a word. I remember the circumstance of a vessel loaded with coal being wrecked in the neighborhood of San Pedro and sinking there, and a good deal of that coal being picked up on Long Beach. Long Beach is located southerly from San Pedro?

Mr. CORTHELL. Yes.

Senator WHITE, of California. If the shore currents are northerly, how do you account for the coal being carried to Long Beach?

Mr. CORTHELL. I had a memorandum made to explain that. That fact was called to my attention, and I will give you the reason for it. As I said to Senator NELSON, there are occasional southwestern swells so great that they may reverse the current for the time being, and they would move obstacles on the bottom. The current does not move coal; it moves fine particles of sand. What moved that coal across the bay was this: These lines here [indicating on the diagram] are kelp, which indicate rocky areas. That coal dropped on the rocky bottom, was affected by the heavy waves, and it simply drifted over the bottom and across it until it struck Long Beach and was thrown upon it by the waves.

Mr. President, in the first place, southwesterly swells are not uncommon; the westerly is the regular swell incident to that coast; and here we have a statement that this discriminating current, alluded to by Mr. Corthell, does not move coal, while it moves fine particles of sand! This littoral current will not move coal, but it will move fine particles of sand. We reach the remarkable conclusion that coal drifts south and sand goes north; that one is moved by a current which influences coal, and the other by a current influencing sand!

Mr. President, it is a matter of fact, notorious upon that coast, that objects frequently float southerly. In two or three cases where persons lost their lives by drowning the remains were picked up south of the scene of disaster. It may be said that this was only an occasional manifestation, but that it was not the rule, that the current usually tends in the other direction. But no such deduction is authorized. But if there were any danger of the accumulation of sand at Point Firmin, inside this breakwater, how is it that there is at that place to-day a naked bluff? How is it that there is no sand spit? How is it that there are no sand dunes, no accumulations around Point Firmin indicating the tendency claimed? If the sand drifts, as stated by this expert, northerly, it would naturally be detained in the neighborhood of Point Firmin, and would certainly extend to that point. Right here I may remark—perhaps I should have said it in connection with another point—that there are no severe storms beating against Point Firmin. The unworn base of the bluff proves this. The material is comparatively soft and could not resist heavy waves. The unscathed shore disposes of the pretense that San Pedro Bay is a storm center.

Mr. President, the inner harbor at San Pedro is exposed to these so-called terrible southeasterly tempests. The land lying upon

both sides of the inner harbor is almost level. There is nothing to prevent winds sweeping across the inner harbor: and yet no one ever heard of a vessel within its confines being harmed by any storm from any quarter. The swell which does injury, which strains chains, which divorces the anchor from the ship, comes from the west; the southeast wind, seldom serious even in connection with the swell, must be harmless without it.

Mr. President, in opening this argument I said that it was problematical whether the proposed structure at Santa Monica would ever be of much protective value. In support of my assertion I have the testimony of Major Raymond, who was examined before the committee. He made the following comments in this connection. It is of importance and I direct the attention of the Senate to it:

Major RAYMOND. I can state generally what were the essential differences which we thought were in favor of San Pedro as a location, as compared with locations farther up the coast. To my own mind, as I remember it now, the extension of the present harbor of San Pedro and the improvements there, at an inconsiderable expense to the Government, made a rather remarkable impression.

Senator WHITE, of California. In what respect?

Major RAYMOND. Because jetty improvements of that kind have not, as a rule, been successful in this country. The depth of water at San Pedro was increased from 2 or 3 feet—the original depth—to about 14 feet at mean low water. The thing that made it especially interesting to me was the examination of the changed front in the inner harbor, which was so trifling as compared with the other places on the Atlantic coast. All the phenomena seemed to me less marked than any other place where I have been in practice. The shoaling was slow there. The tide is about 5 feet, I think. That there should be a jetty harbor of that kind so successful, and that the depth of water should be so increased, and that the problem should be so simply solved, was a matter of very great interest to me. I could see that the inner basin, the inner harbor, the inner anchorage, could be extended very readily without difficulty; and that was a feature in the future improvement which was very advantageous.

The inner anchorage is a very important thing, especially in time of war. Torpedo boats can run into the inner harbor, protected from the fire of the enemy. That was the thing most advantageous. When we came to examine the problem, step by step, we did not find any point in which the other location seemed superior to San Pedro, and we found several points in which we thought San Pedro superior to the other location. My own opinion is that a breakwater harbor, such as that proposed at Santa Monica, parallel to a nearly rectilinear shore, is fatal. I do not know of any place where there is an exactly similar harbor, and I can not conceive a place where I would be willing to construct it where the outlying breakwater is parallel to the shore, as in this case.

Senator WHITE, of California. What are the cardinal defects in that kind of a harbor?

Major RAYMOND. Generally speaking, the accessibility would be very good for a harbor of that kind, but the main defect in such a harbor is that the landing facilities are in the most exposed part of the harbor. Generally, motions of the waves are deflected by the ends of the breakwater, and the disturbance is generally created in the parts of the harbor farthest from the points of deflection. I do not remember that kind of a harbor in any place.

Afterwards, Colonel Hains, who was examined upon the same topic, thought that the wharves proposed by the Southern Pacific to be erected could be protected by the breakwater. I will read his statement in that respect:

Senator WHITE, of California. What do think of the feasibility of such a harbor as that designed at Santa Monica?

Colonel HAINS. In what respect?

Senator WHITE, of California. Would it be a success?

Colonel HAINS. Do you mean the breakwater?

Senator WHITE, of California. Yes.

Colonel HAINS. I think that this breakwater there would protect these wharves [indicating on the map]. I do not think they need much protection. The fact that they use these wharves so much without a breakwater is pretty good evidence that they need very little protection from the outside. I think that a breakwater made of plank would accomplish the purpose.

If there were severe storms I presume it would be admitted that a breakwater of plank would not be very desirable, or there would be no excuse for this application for a three-million-dollar appropriation.

Colonel Hains thinks the wharves designed would probably be protected by a breakwater. But his declaration shows that he does not anticipate gales.

Major Raymond, who has had more experience in breakwater construction than anyone who was before us, is of the opinion that the proposed appropriation would not accomplish its purpose, and says that he would not be willing to undertake the work.

Now, Mr. President, we are here, I presume, to enact a law providing for an appropriation to be expended for some useful purpose and under conditions giving reasonable assurances of success. We are not here to experiment. Colonel Hains says, in speaking of the character of the Port Los Angeles breakwater—I read from page 30:

I do not think that a breakwater parallel with the coast is as good as one which connects with the shore, but it might accomplish the purpose.

Shall we engage in the business of constructing a harbor at a condemned place upon an uncertainty as to the result? Shall we spend this money upon a spot regarding which the testimony is at least conflicting, and concerning which our accredited engineer, who has had great special experience, expresses an adverse opinion? Is it proper thus to risk public moneys?

There are a number of incidental matters which I do not care to allude to now, but which may be mentioned hereafter. However, I will mention one. Commander Taylor, of the United States Navy, was engaged for some time in coast and geodetic survey upon the Pacific. His views were placed before the board of engineers at Los Angeles, and Mr. Corthell and members of the majority of the Commerce Committee rely not a little upon his opinions. He strongly favors Santa Monica. A memorandum of his theories and experiences was called to the attention of the Craighill board by Mr. Hood, who seemed to be advised concerning the same. That document is the strongest part of the Santa Monica presentation, and as I am endeavoring to state this whole case without reservation, I will ask that it be read, and will follow it with a statement by Professor Davidson upon the other side of the matter. I refer to page 109 of the executive document from which I have already made several extracts. I ask that the same be read at the desk.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Secretary will read as requested.

The Secretary read as follows:

MEMORANDUM REGARDING A BREAKWATER AT SANTA MONICA.

For many years the need of a harbor at Santa Monica has been apparent. Southern California is separated from the rest of the State by mountain systems and needs a port as an outlet for its products. The center of the business activity of southern California is Los Angeles. This city has grown to be too great to let it be anticipated that that center will be changed. Indeed, the fertile plain and the adjacent valleys of which it is now the depot would require such a port if Los Angeles were not there.

San Diego, whatever its qualities as a seaport, is too far to the south; it has practically no back country of sufficient importance to justify a great seaport. To the east and southeast is the peninsula of Lower California, and farther in that direction lie the northern provinces of Mexico. But the ports of the Gulf of California will intercept traffic from that direction. To the north and northeast is a country of great productiveness, but that country is nearer to Los Angeles as a depot, and will find its outlet to the sea near

that city. As to the harbor of San Diego, it may be said (as of all harbors) that it is not entirely satisfactory. San Francisco itself, which ranks as the greatest of bar harbors, is dangerous to enter after long-continued stormy weather. From Puget Sound to Magdalena Bay, Mexico, few harbors exist, and none of great convenience. It is natural, therefore, that San Diego Harbor should be regarded of value on account of the great scarcity of harbors on the coast. It is not denied that it could be improved and its bar perhaps removed. The situation there is favorable to certain classes of engineering work, but the object of such work is not apparent when the position is not the natural sea outlet of an important tract of country.

A creek makes into the land at Wilmington and San Pedro, affording a shelter to small vessels, and expensive improvements have been carried on for several years by the army engineers, which have slightly benefited it, but, at the best that can be hoped, it can never have the accommodations of a great harbor. A breakwater to include sufficient area of shelter could be built, but it would include some shoals and rocks inside of it, and would also receive whatever discharge of sediment there would be from the creek. This creek was used in the beginning by schooners and small craft, which were sufficient for the trade of the then unsettled country. The circumstances of its location, favorable for such craft, are unfavorable for the formation of a great seaport such as the commerce of southern California now demands.

We come now to that locality which appears specially to be favored by nature, Santa Monica.

The bay of Santa Monica is, in its combination of natural features, unique on the Pacific coast. Here the depth of water increases from the beach outward with an ease and gradual slope for several miles. Here a breakwater can be established to inclose and shelter a capacious harbor, without being in water so deep as to make its construction impracticable or even difficult.

The marked feature of the Pacific coast is the steep slope of the bottom as we move from shore to seaward. This rule has few exceptions, and it results that along the entire coast a breakwater to inclose a sufficient sheltered area would have to be placed in such deep water as to be impossible of construction.

Among the few exceptions is the bay of Santa Monica. It is a remarkable coincidence that the coast line in a deep curve here approaches nearer than at any other point to Los Angeles and to the fertile region of which it is the depot.

The bay of Santa Monica has, along most of its shore line, this quality of gradual deepening of the water, the bay of itself being occupied by a submarine plateau unique upon the Pacific coast. But certain portions of the shore line of the bay have other advantages in addition. The town of Santa Monica is situated at a point on the shore near a neighboring range of mountains against or toward which blow the only winds of violence. The force of the wind blowing against a great barrier is deadened for some distance to windward of such barrier, and this probably accounts for the well-known fact that the winds at Santa Monica do not blow with violence. The swell which rolls in at this anchorage is much modified, even in the worst weather, by the effect of the large islands to seaward and by the deep recessed position of this portion of the bay shore.

I have had considerable experience in this bay while conducting the surveys carried on there, and have laid at anchor through all seasons of the year, at and near Santa Monica, on the Government vessel which I commanded. I have never seen any weather in which a vessel could not ride at her anchors there in safety, and but few occasions when unloading at a wharf was impracticable.

If southern California needs a port. I am confident that Santa Monica is the only practicable place to construct such a port, and that southern California does urgently need a port there can be no longer any question. The mountain ranges intervening between the southern and central parts of the State are of so difficult a character for railroads that the hauling of freights across these mountains is very expensive, and the products of the southern section of the State have now become so numerous and important that the construction of a proper harbor in southern California can not longer be neglected. Also we have to regard Los Angeles no longer as a way station, but as a truly terminal point for several systems of railroads now built or to be built. With such a port close to the suburbs of Los Angeles, she would possess a most attractive route for the transportation of products from the other side of the Pacific to her own vicinity, and thence across the continent.

Is a breakwater at Santa Monica practicable, convenient, economical?

Having had, some years ago, the opinion of an able and experienced civil engineer as to the amount and quality of rock to be obtained in the hills abreast of the end of this breakwater, after his personal examination, made at my request, I am justified by the opinion in taking for granted a plentiful supply of good rock at that point. With this basis of supply close at hand, I would propose a breakwater in 40 feet depth of water, 3,000 yards long, in a straight line parallel to the shore, or with a slight angle at the center of

the line, the angle being convex to seaward, as shown on the chart submitted in blue. A section of it is shown on accompanying sheet. It would be 45 feet high, 20 feet across the top, 225 feet across the bottom. Its inner face would have the natural slope of dumped rock, its seaward face would be extended until its profile would be a modified form of that at Plymouth, England. This cross section would contain 677 square yards, and the whole breakwater, 3,000 yards long, would contain 2,021,000 cubic yards. I have taken as a basis of cost the prices at which contractors have successfully delivered stone at the breakwater now building by the United States engineers at Rockport, Mass., being an average for two years of 65 cents per ton, or allowing 2 tons per cubic yard, \$1.30 per cubic yard. The difficulty and expense are, however, much greater in delivering rock there than they would be at Santa Monica. At the latter the hills which contain the rock are at a distance of only 2,300 yards, across water of moderate depths, to the nearest end of the breakwater. A tramway on piles can be constructed easily and cheaply to connect the two, and the quarries can be located in the hills at an elevation sufficient to cause gravity to move the loaded cars down, and bring back by their weight the empty cars. It is reasonable, therefore, to regard this estimate of \$1.30 per cubic yard as being largely in excess of the probable cost. I have, however, added to this amount 33 $\frac{1}{3}$ per cent, to cover the installation of working plant, the opening of quarry, the building of tramway, and all contingencies, as follows:

To excavate 2,100,000 cubic yards and deliver same in place, at \$1.30 per cubic yard.....	\$2,730,000
To install plant, etc., and for all contingencies, 33 $\frac{1}{3}$ per cent.....	910,000
Total.....	3,640,000

It is my belief that this sum is much in excess, and that a breakwater can be built for \$2,500,000.

I will mention here that a smaller breakwater could be placed in 30 feet depth of water, 2,000 yards long, and of similar though smaller section than the above, at a cost of \$1,800,000, and would afford a good shelter. It would not, however, possess the qualities of a great port, either in itself or in its powers of expansion for future needs, and it is a great port which southern California now demands for its growing trade.

Under the shelter of 3,000 yards breakwater, with wharves properly planned and constructed, 150 ships of 300 feet length could lie alongside the wharves and leave space there and in the anchorage ground between them and the breakwater for 200 more vessels of various sizes. A breakwater 2,000 yards long in 30 feet depth of water would form an excellent shelter, but I would recommend one 3,000 yards long in 40 feet depth of water as the wiser project of the two. It would, in fact, be a perfect project, leaving nothing to be chanced. In this depth a breakwater will be as distant from shore as will ever be necessary. Greater area of shelter, when desired, may be secured by extensions of the breakwater on its own line parallel to the shore.

Finally, I submit a plan of such breakwater, shown in blue print on the chart. I submit also a section of same, showing details of proposed construction.

Respectfully,

H. C. TAYLOR,

NOTE.—The drawings, etc., referred to by Commander Taylor have been mislaid, the foregoing memorandum having been written several years ago.

Mr. WHITE. I have had this document read because it has been relied upon with confidence by the advocates of Santa Monica, and although it does not in any manner sustain any claim to superiority on the part of the site upon which the Southern Pacific Company has made its pier, I presume that Taylor had reference to a harbor opposite the town. But there is an air of partisanship about Lieutenant Taylor's statement which I do not quite understand. For instance, he refers to an improvement at the inner harbor at San Pedro as being slightly beneficial, for he says:

A creek makes into the land at Wilmington and San Pedro, affording a shelter to small vessels, and expensive improvements have been carried on for several years by the Army engineers, which have slightly benefited it.

The engineer's report is that the benefit has not been slight, but that it has been remarkable. There has been an increase of depth from 2 feet to 14 feet at low tide and an 18-foot low tide depth is anticipated. Then Lieutenant Taylor refers to the discharge of sediment from Wilmington Creek. There is no sedimentary dis-

charge of an injurious kind. No deposits on the bar or outside can be found. I must say that Lieutenant Taylor seems to be a special advocate. His figures are peculiar, his calculations unique. I am quite willing that his expressions shall be read side by side with those of General Craighill's board.

But if there is any man upon the Pacific Coast who is thoroughly familiar with all topics pertaining to hydrography and who has given to Pacific harbor work the patient toil of almost a lifetime, that man is Prof. George Davidson, a gentleman of great attainments and sterling worth. His views of Santa Monica Bay I wish to put before the Senate. No more valuable expert opinion can be found in the United States or elsewhere, for that matter. I ask that the Secretary read the memorandum commencing on page 124, Executive Document 41.

Mr. PERKINS. I suggest to my colleague that he state that Professor Davidson has had charge of the Coast and Geodetic Survey on the Pacific Coast for forty years.

Mr. WHITE. Yes, sir.

Mr. PERKINS. He is the author of the Coast Pilot, and is the best living authority on nautical matters relating to the hydrography of the ocean and coast that there is on the Pacific Coast.

Mr. WHITE. I desire to say further that during the hearings I requested Mr. Corthell to state whether in his opinion Professor Davidson was not an authority upon these matters, and he responded by saying that he had great regard for him.

The PRESIDING OFFICER. The Secretary will read as requested, if there be no objection. The Chair hears none.

The Secretary read as follows:

MEMORANDUM BY PROF. GEORGE DAVIDSON, UNITED STATES COAST AND GEODETIC SURVEY.

SAN FRANCISCO, September 7, 1892.

My experience begins with June, 1852, when the disabled steamer *California* anchored in San Pedro Bay. The navy-yard commission was on board of her, and to prevent great delay the members were carried to San Francisco by the United States Coast Survey steamer *Active*.

I mention this merely because the *Active* was then transporting me for the chronometer determinations of the longitude of all southern points with San Francisco. Before this incident, and afterwards, my duties compelled me to land through the surf at all the exposed stations on the main shore and the Santa Barbara Islands. And this bears upon the following statement:

In December, 1852, after selecting a base line, I was waiting for a steamer at the old adobe of San Pedro. The brig *Fremont* was at anchor off San Pedro, and rode out a strong southeast gale of two or three days' duration. (See Coast Pilot 1889, pages 38 and 40.) The judgment there expressed is that formed from my own experience through subsequent years, the experience of Coast Survey officers, naval and civilian, and of captains whom I have known to be familiar with the place.

At the time of the *Fremont's* riding out the gale I had no doubt that I could have landed on the beach in a well-manned boat from the *Fremont*.

I have learned no facts to weaken my judgment expressed in the Coast Pilot. Vessels that have dragged into danger—and they have been remarkably few in the last forty-two years—have anchored in shoal water too close inshore, at anchor not well found in ground tackle, or both; and I express my judgment with confidence because I had command of the surveying brig *E. H. Fauntleroy* for four years in the waters from San Francisco to the Gulf of Georgia, and have anchored hundreds of times over every character of bottom and varying depths of water, under stress of weather, in exposed situations, with strong currents, and in very heavy weather. The northern weather is much heavier than the southern.

In our "southeasters," the swell of the Pacific comes from the southwest and along the greater part of the coast, breaks squarely upon the shore, reaching from profound depths at a very short distance from land. The only fairly protected part of the coast is that from Point Conception eastward and southward to between San Pedro and San Diego. There is, however, a marked peculiarity of the winter storms of this coast which I have expressed in the Coast Pilot, the farther north we go in winter the heavier are the

gales. In this low latitude of 33° the winter storms are relatively not severe, and, combined with this character of the storms, the great islands of Santa Barbara form barriers against the full force of the winter swell.

In the latitude of San Francisco, 37° , the southwest swell frequently breaks all over the San Francisco bar in 6 or more fathoms of water, while the swell of the same storm would not break on the bar of San Diego, where the depth of water is less than 4 fathoms. (See Coast Pilot, page 18.) San Pedro is but 95 miles from San Diego and not so open to the swell, because the great islands of San Clemente and Santa Catalina serve to break up the broad ocean swell of the winter gales.

This low latitude and these protecting islands are very important factors in judging of the safety of any anchorage. We know that it occasionally breaks on the shoal spots of 9 fathoms off Cape Mendocino, and I have laid off the breaking bar of Humboldt for two weeks, but at the same time there would be no break on San Diego bar and no danger in San Pedro Bay. From the summit of Tamalpais I have seen a large English vessel forced to leave her anchorage on the southern edge of San Francisco bar before the swell was breaking, and such a vessel would lie in absolute safety at the same time in San Pedro Bay.

Smaller vessels at San Pedro, even well found in ground tackle, necessarily do not care to ride out a "southeaster" there, with its wear and tear and the annoyances, when the lee of Santa Catalina Island is only 18 miles distant and affording them ample protection. In this respect the anchorage is almost as much favored as Hueneme, San Buenaventura, and Santa Barbara.

One plain proof of the comparative weakness of the destructive action of the southeast storms on this southern coast is seen in the very slow wearing away of the sandy cliffs and of the bluff immediately at San Pedro; nor could the exposed wharves of this region stand if the destructive forces of the winter storms was great.

In regard to the anchorage of San Pedro, I have always believed that there was good bottom for holding ground. The bay is the northwestern limit of a very extensive plateau of comparatively shoal water along the seaboard from Point Firmin to about Newport, and the whole country behind the shore is sandy and so low that in winter it is flooded for miles inland by the rains and the overflowing of the low banks of the numerous streams frequently changing their courses. The detritus from these streams is moved seaward and principally to the westward over this plateau, and helping to extend it, by the action of the inshore eddy current.

I believe that this material, mud, sand, and gravel, is sufficiently deep to give good holding ground for any sized vessel if properly found in ground tackle.

I may mention here that for many years I have believed that San Pedro Bay is an admirable location for a breakwater to form a first-class harbor of refuge against winter storms, when the commerce of the southern coast demands it. Gen. B. S. Alexander and myself frequently discussed the importance of a breakwater here, because I was not enamored of the smaller temporary jetty scheme which he had proposed. He was fully alive to the great advantage of a breakwater on a large plan, but he believed the commerce did not then warrant it, and that the Government would not then sanction it; and that the relief he proposed was temporarily sufficient. With the chart of the Coast Survey before us we have drawn rough lines of the suggested breakwater to cover the exigencies of vessels entering the harbor from the west or around the exterior extremity of the breakwater, and to give free movement to the inshore eddy current carrying its material to the westward. (He utilized this movement of material in planning the present jetty.)

My study of the great breakwaters of Europe has satisfied my judgment, and I see clearly that a capital harbor can be formed in San Pedro Bay by a breakwater in 10 fathoms of water, and that from my visits to Catalina Island building stone can be had in any quantity, if the rock of San Pedro hill is too soft, as I believe it is.

SANTA MONICA BAY.

I am not unfamiliar with Santa Monica Bay, but do not know it so well as I know San Pedro. I think the same would be said by all sailing and steamship captains on the southern seaboard.

I was along the "West Beach" as early as 1852 and 1853. In 1872 I had the following experience on the shores of Santa Monica Bay. With a loaded wagon I followed the beach from the arroyo east of Santa Monica to Point Dume. The high bluffs and cliffs came so sharply to the shore, and the arroyos there so deep that no road was practicable above high water, and I had to travel along the beach at low water. At Point Dume a very fierce westerly wind sprang up and retarded my operations so that in returning to Santa Monica I was on the beach through two low waters. I found the beach torn away along the whole shore line, and met with rocky obstructions, which in some cases had been wholly uncovered by the washing away of the sands. As we approached Santa Monica the evidences of this destructive action be-

came more and more marked, and for the last 2 or 3 miles the beach was torn away from 10 to 12 feet in depth. We met a friend from the Santa Monica arroyo driving his buggy on the inner edge of the beach of four days before, where he was 10 to 12 feet above the new beach, and he was in such a hazardous position that we had to relieve him. When I soon afterwards left Los Angeles via San Pedro there were no signs whatever of damage done to the beach there.

Afterwards when I was appealed to for a letter recommending the location of Santa Monica for a commercial wharf I related the above facts and refused to give an unqualified indorsement of the location.

During the hydrographic survey of Santa Monica Bay from Point Vincente to Point Dume by the Coast Survey, the officer commanding the surveying vessel reported that when at anchor in the vicinity of Santa Monica, with a strong westerly breeze blowing, and the inshore eddy current running to the northward along the shore, the vessel rode to the current and her rolling in the swell falling directly on shore was so large and disagreeable that the vessel had to weigh anchor and seek a more comfortable berth.

I have had no personal experience of the winter storms at the head of Santa Monica Bay. A glance at the chart will demonstrate that it is more squarely open to the southwest swell than San Pedro.

In the winter of 1888-89, when my party was on the Los Angeles plains, I visited the wharf at Newport to learn what effect the winter's storms had upon it. This wharf is situated 15 miles eastward of San Pedro, and is more exposed to the open sea. It is located at the head of a submarine valley, just as that at Redondo Beach in Santa Monica Bay, but the storms had not sprung a plank. (See Coast Pilot, page 35, bottom.) At the same time I understood that the end of the wharf at Redondo had been badly damaged. (Coast Pilot, page 46.)

In conclusion, I may say that a few years since I was consulted to express an opinion upon the feasibility of a harbor or wharf or anchorage in Santa Monica Bay, between Point Dume Cove and the vicinity of La Ballona. I presented what facts I then had, exhibited tracings of the original surveys, and made such explanations to the deeply interested parties that they abandoned the project.

GEORGE DAVIDSON.

Mr. WHITE. Mr. President, this résumé of the situation by the best advised man upon the Pacific Coast, one who knows more about the hydrographic conditions surrounding this issue than any other individual, can not but be a most valuable contribution to this discussion.

Not only was Professor Davidson's information before the Craighill board, but the statement of Lieutenant Taylor was likewise received. The decision of the board was made upon a complete case. Lieutenant Taylor has recently declared that he adhered to the presentation above cited, and Professor Davidson has informed me that he sees no reason to depart from the opinion which has been repeated here to-day.

There was much testimony before the Craighill board supporting the views of Professor Davidson. The hearing lately conducted by the Commerce Committee is of little moment when contrasted with the examination made by the board of engineers of 1892.

If Senators who care to thoroughly understand this case will read the evidence and exhibits returned by the board of 1892 the justice of my remark will be conceded. That board had all the information given before the Commerce Committee, except only that at that time the Southern Pacific wharf was not in operation. I imagine that the majority of the members of the Committee on Commerce (I do not include the chairman) have not thoroughly digested the evidence reported by the Craighill board. On page 62 of that paper will be found the statement of Mr. Johnson, with whom I was well acquainted. I have much confidence in his accuracy. He does not express himself, perhaps, with that technical correctness which is preferable in such controversies, but his remarks are to the point. He resided in San Pedro for years and spoke with knowledge. I ask the Secretary to read the statement of

Mr. Johnson, commencing at the foot of page 62, to the end of the statement.

The VICE-PRESIDENT. The Secretary will read as indicated. The Secretary read as follows:

Mr. JOHNSON. Well, I will say the little facts I know about the harbor. I came here in 1852, in December, forty years ago, in the bark *America*. I went to anchor in the Bay of San Pedro; rode out two heavy southeasters with safety; two anchors, one with 45 and the other with 50 fathoms of chain. Then from that time until 1854 I lived at San Pedro, on the point which they call now Timms Point, in that neighborhood. Saw vessels coming there, few, as a matter of course, and two little steamers that were running there then, the only steamers on the coast—the *Seabright* and the *Ohio*. And they got there in all kinds of waters, and, with the exception of one losing her anchor once without having their chain shackled, there was never any trouble about riding out the gale, so far as the holding ground was concerned, within a couple of miles of the bluff. Southeast from there to here there is more or less loose sand. Of course, in the southeast wind, the only wind that is liable to do any damage, the vessels would naturally drift inshore toward the water, where the anchorage will hold better. In 1854 I was engaged by John Ord, the United States surveyor at the time, to run him about the coast, surveying—him and his party. I was engaged—the vessel and myself. And I got in the Bay of San Pedro there in all kinds of weather during the winter months in 1853, 1854, and 1855, and part of 1856; got to anchor there in the night and day, and all kinds of waters, and I never had any trouble of laying there safe, as far as the anchorage is concerned, to hold, as long as the moorage and tackles are good. Since that time, for fourteen years, I was running in and out the bay, night and day, any kind of weather, summer and winter; anchored in every place and any place within the anchorage as laid down in our official chart, and never had any trouble. And from that time I stopped following the sea and having anything to do with the vessels. But I resided in the neighborhood and saw every vessel there. And no vessels ever dragged their anchorage who had their anchors clear. Those who dragged their anchorage either parted their chain or they had a fouled anchor which they neglected to clear before the storm came up.

Now, with regard to the inner harbor, we all know there is about 18 feet of water there to go over at high tide. Vessels go in there and they are well secured. They are like in a pond when they are in there. And the outer harbor is protected from all winds, with the exception of the east and southeast. The southwest wind that is prevailing here during the months of February and March, and sometimes a part of April, they are the strongest gales we have on this coast, which every seafaring man knows, because they blow more toward shore than any other wind; raise a heavier sea. San Pedro there is protected by Point Firmin. It is only the wind from the east and southeast. Catalina Island protects part of the harbor, but not sufficient for vessels to lie perfectly smooth in smooth water.

Now, with the money that has been expended in that harbor there, with very little breakwater in sufficient water there to build it on a solid foundation, which is not to be found in every other place, a small breakwater would inclose there a couple of thousand acres for their deep-sea harbor. The inside harbor is nearly as good as finished. And we would have plenty of facilities for all the railroad companies, for all the community that would ever live in that neighborhood, for warehouses and everything else; lots of fine, level soil, and the facilities would be great. I heard a gentleman this morning speaking about ships going up to the Columbia River to get to Santa Monica. I have followed the sea since 1841, and I couldn't think even Columbus himself would have traveled so far to find the port of San Pedro or Santa Monica as to go to the Columbia River. Any vessel—or in fact, to make it short, allow me to state that we must in the future look to our trade by water. We expect to have communication from South America, West Indies, or at least Central America and Mexico. To have that trade we are nearest to Los Angeles of any of the towns.

In regard of making harbors, what does a seaman want? A good light-house? We have got it in San Pedro. We have got Catalina lying out there for a point of land to navigate by. We have a Government reservation at San Pedro, if the Government wants to build any fortification or anything. They have 500 square varas of land there and, in fact, any facility anybody wants to have for the sake of a harbor.

Now, in regard to the time between San Francisco and here, the freight and the passenger traffic that has been carried in former years is nearly done away with. Everything goes by railroad that come from there. We must not look to San Francisco for our trade. We must look to the East by water to have cheap transportation. Consequently, if we get it by water we are nearest to Los Angeles of any port. Any little freight or passengers that come from San Francisco to Santa Monica they gain a little time, that is true.

But, outside of that, what is there in Santa Monica to protect shipping? It is open to the south, and we know we have heavy gales from the south and southwest. They speak about water being smooth there. I have been there hundreds of times, and always found plenty of surf for the bathers to bathe in, and heavy swells. I have known vessels to drag there, and they had to send steamers there in the month of May, 1873, to pull them out, keep them from going ashore, heavy swell, undertow, and one thing and another. Anchors didn't hold up laying alongside of the wharf. They were destroyed there.

In regard to the anchorage outside in Santa Monica, I can't tell, for the reason I never sounded much, other than the Point Dume. I was up there with John Ord, and he sounded there and put some signals ashore.

In regard to Redondo, my friend here has said all that could be said in regard to it. There is deep water, plenty of it; protected from the southeast, it is true, but it is open to the westward. If the gentlemen wish to inquire in regard to anything else I would like to state. I don't like to take up all your time.

Mr. WHITE. This is the opinion of a man of experience, who derived his knowledge not from theories and statements of others, but from his own interpretation of events which had transpired under his direct notice.

I do not propose to expend any time with the proposition that it would be of advantage to have the harbor at Santa Monica because of its greater proximity to the city of Los Angeles, for I do not believe that that fact is of sufficient importance to affect the result. Nor do I care to discuss the relative merits of the two localities; the superior advantages of Santa Monica as a most delightful seaside resort are too well known to require elaboration. Commercial considerations should control our decision.

I have just procured the time and distance tables issued by the Southern Pacific Company for the use of its employees exclusively, and by which its trains are operated and its freight tariffs made. This schedule shows that the distances from Los Angeles to San Pedro and Port Los Angeles, respectively, are as follows:

From Los Angeles to San Pedro, 22.10 miles.

From Los Angeles to Port Los Angeles, 20.70 miles.

I have already called the attention of the Senate to the circumstance that at San Pedro, or Wilmington, there is a large area in immediate proximity to the inner harbor owned by the State of California, inalienable because of its tide character, and subject to use under limited franchises, and therefore held for the benefit of the public. I think I have already shown that it is difficult to imagine the possibility of any other institution than the Southern Pacific Company obtaining access to the water of Santa Monica Bay where Port Los Angeles is located except at a very great expenditure of money. In my opinion no other wharf will be built there for years.

Mr. President, what is the amendment which I have introduced and upon which I ask a vote? What is the proposition which I make to the Senate regarding the subject? The gist of the matter is the making of an appropriation and the expenditure of the money at either San Pedro or Port Los Angeles, the location to be determined by a board consisting of an officer of the United States Navy, of rank not less than commander, to be appointed by the Secretary of the Navy; a member of the Corps of Engineers of the United States Army, to be selected by the Secretary of War, and a member of the Coast and Geodetic Survey, to be selected by the Superintendent of the Survey.

Now, I ask those who are disposed to be fair, who wish this important subject determined accurately, what objection can be rationally made to this plan. An objection might, indeed, be urged upon the part of those who advocate San Pedro and who

are interested on the part of the Government in the disbursement of public moneys, upon the ground that two boards have already reported against Santa Monica, and therefore it may be said that we are going too far in selecting a third tribunal when we have two positive reports made by competent persons. In offering the amendment I do not in the slightest degree impugn the motive, question the integrity, or doubt the capacity of the eight distinguished gentlemen who have passed upon this subject. I believe that as to the location of the harbor their views are correct. I have entire confidence in the accuracy of their positions, but a majority of the Commerce Committee and several Senators who affirm that they have thought about this subject for seven or eight years announce that the engineers are wrong; that the boards are mistaken; that these eight impartial, honest servants of the Government are all misinformed; that among these eight scientific men of integrity there was not one competent to pass judgment or able to reach the true conclusion. There seems to be a notion in some quarters that the Mendell and Craighill boards were prejudiced. Why, I am at loss to know. There is no evidence or suspicion justifying such a conclusion, unless it be found in the opinion of a majority of the committee to the effect that both boards reached erroneous results.

But, Mr. President, as soon as it was asserted or intimated that there had not been an absolutely impartial and unbiased examination, as soon as it was intimated that the second board was influenced by the first board, and that there was an esprit de corps existing among those officers which made it impossible for one to determine anything against the other, it was suggested by one of my associates of the Commerce Committee that we might make the appropriation and leave the determination of this issue between these two points to an admittedly uninfluenced tribunal appointed pursuant to a plan agreed on by Congress.

I am not irrevocably committed to the plan proposed in my amendment. I have no desire to provide for the selection of a board which will not do equal, exact, and complete justice to all. I want a board satisfactory to the most critical. I want no one save persons of integrity, of capacity, and without partiality. I wish a board upon whom those who favor Santa Monica and those who prefer San Pedro can alike look with confidence and upon whose judgment any right-thinking man should be willing to rest. But what do we encounter? It is to this most indefensible part of the Santa Monica contention that I attract the attention of Senators. Here we have a harbor site condemned officially. It has no legal indorsement. The employed agents of interested parties, and with whom certain Senators seem to concur, declare that we should reject all the evidence bearing official authenticity. The point is made that the reports of the eight engineers should be rejected because not founded upon fact, or because conclusions not properly deducible from facts presented have been announced. But are we to proceed without any favorable intimation from any of our officers?

Let me ask those who oppose my view, Why object to the appointment of a skilled and unbiased commission to pass upon the subject? If he be not satisfied with that which has been done, if it be contended that the action of previous boards must be disregarded, can we not find some one somewhere to whom we will be willing to commit this subject? Will Senators who have no more knowledge of the situation than that derived from the cursory

and scattered hearings before the committee pretend to tell me that they know absolutely and conclusively that these eight officers of the Government were wrong, and that they are so satisfied of this that they want no more light; that the glorious radiance flashing from the information which they have received here renders the advent of other knowledge impossible? That the limit of intellectual absorption has been attained? Is this the position? Will anyone admit that he is unwilling to lay this matter before a competent, impartial board? Yes; the advocates of Santa Monica must so concede. They will not consent to the submission of their pretensions to any person or officer. They say in effect by this refusal that no board will report in favor of their location. They decline to submit their arguments to competent scrutiny. Why? Not because they think their success possible. They would not then refuse. They decline, because—and there is no other deduction possible from their conduct—they know that no impartial and competent tribunal will decide in their favor. They fear fairness.

Is the constitution of the proposed board objected to? If so, why not suggest improvement? I and those who are contending in conjunction with me are prepared to do that which is honest and equitable. Is it possible to form any commission to constitute any board to which the majority of the committee will be willing to submit? Evidently it is not possible. Mr. President, you can not find, you can not devise, you can not suggest any tribunal, any board, any committee, any qualified person or persons to whom this discretion will be committed by my friends of the opposition. They rest in security upon the theory that Senators are ready to vote against the report of the Government engineers and against everything official, are willing to appropriate in the face of authoritative condemnation, and they do not therefore propose to risk any board.

This sort of procedure may sometime—surely it ought to be—condemned. Here are three millions of money, Senators, to be disbursed in defiance of official recommendation. How are you to justify this outlay? Where is your authority? Have you any official indorsement at all? Two boards have reported adversely. You say that they were not fair, that they were in error. Do you not think it well to have the approval of some one not interested and who is possessed of technical knowledge before you make this expenditure? The answer comes “No; we will not consent to this amendment.” “We have waited long enough,” it is said. True, you have waited long. You have never had the concurrence of Senator, Representative, or engineer. You have waited long indeed to find anyone competent and impartial treating this matter your way.

Now, at this hour when the committee reports in favor of an appropriation for an unrecommended and repudiated place we are asked to vote for that report to appropriate this enormous sum simply upon the general evidence taken before the commerce committee, which, as the record will show, is of little significance and in defiance of the authorities to whom we are in the habit of committing such matters. Why this extraordinary zeal to do something unprecedented?

Mr. President, when the Southern Pacific Company built its pier at Port Los Angeles no one had any idea of erecting any breakwater in that part of the open ocean. It has attracted us here. The committee proposes to use now \$3,098,000, and Heaven only knows how

much more in the end, to guard and make convenient the private property mentioned. What will the breakwater protect? If it answers its purpose, as those who are advocating it claim that it will, it will defend the railroad pier and not another structure. There is nothing else in the bay; there is nothing in the neighborhood; there is no inner harbor to be benefited; there is no adjacent commercial interest to be gratified. The expenditure of this money as designed by the committee will be the donation of \$3,098,000 to a private corporation. It will be taking that sum, which the engineers of this Government have recommended be not expended, and expending it for the immediate benefit of individuals. Prospectively, it may be said, others will derive profit. This is mere speculation. The immediate object, the immediate effect, is an individual advantage. No public interest is to be subserved, but the money is given because it is asked for by enterprising citizens engaged in the development of a large commerce over one of the most magnificent wharves in the world.

Mr. President, I do not believe that an appropriation made as designed in this bill can be justified. I think that its consummation will be an outrage upon the public. Suppose that the distinguished gentlemen who favor Santa Monica are right in their scientific opinions, and that the boards and other trained officers of the Government are in error, still there stands a controversy, in which officials of integrity and no selfish interest are ranged upon one side, and upon the other stand interested parties reaching for the Treasury. Grant that the latter are also intelligent; grant that they are also men ordinarily free from bias; they are nevertheless personally concerned, and hence not reliable judges.

You refuse to recommit for examination; you decline to subject it to candid investigation, but it is proposed to boldly overturn and cast aside the suggestions of those to whose recommendation we should at least award decent consideration, and to substitute therefor the conclusions of employees of Mr. Huntington and to enable them to place at his feet a great winning made from the Government of the United States.

If the advocates of Santa Monica believe that they have the meritorious side, then let them face a commission chosen upon impartial lines. With the judgment of such a board I shall be content. Until some fair, competent, and disinterested man, appointed according to law, has determined that this appropriation is justifiable, I shall continue to oppose it and to raise my voice against it, even though I stand alone.

Mr. President, I shall not offer anything further at present. I have endeavored to put the facts very fully before the Senate, citing various opinions and conclusions adverse to my contention as well as those upon which I have relied. There are other Senators who desire to speak upon the matter, and I care to say no more now, but may later have occasion to detain the Senate should the remarks of Senators who take a different view in my opinion justify further comment.

REPLY TO MR. FRYE.

Tuesday, May 12, 1896.

Mr. WHITE. Mr. President, I desire to say a few words in response to the statements made by the Senator from Maine [Mr. FRYE].

In the first place, I repudiate the intimation that there is anything of the so-called sand-lot agitation to be found upon the San Pedro side of this controversy. I wish to say to the Senator from

Maine that the people of California are as law-abiding, and, with due deference to him and his constituents, as fully competent to take care of their own affairs, as intelligent, and as enlightened and progressive as are those whom he represents.

As far as I am personally concerned, he places an estimate upon my character far from flattering when he assumes that I can be swerved in the slightest degree from the pathway of my duty by any ulterior influence or unreasoning excitement. I say to the Senator from Maine that however independent he may be I claim similar independence. I deny that my constituents are animated by any motives not creditable, manly, and thoroughly American. Those who are immediately interested in Los Angeles are persons of discrimination, fairness, and education. Nor is it true that I said one word in the somewhat lengthy argument made by me here that can be called undue criticism or uncalled-for censure of Mr. Huntington. I used no imprecatory phrase, no denunciatory epithets. I am confident that I have acted within the rules of politeness and duty. True, I do not and did not regard the soil upon which he treads as sacred, but I trust that I uttered no expression in reference to Mr. Huntington which was not becoming. His affairs when connected with legislation are to that extent proper matter for comment; so also of his motives. He is entitled to fair treatment and nothing more.

As my colleague [Mr. PERKINS] has said, the people of our State are always ready to do justice and have no disposition to oppress. They have resented certain interferences by Mr. Huntington and his associates in local affairs, and have demanded immunity in politics from corporate domination. The issue before us, however, must be solved upon other lines. I have endeavored to consider it on its merits, and Mr. Huntington's personality has less influence upon me perhaps than upon some who might be identified.

While the Senator from Maine was most eloquent and laudatory, and, I believe, extravagant in his praises of Mr. Huntington, I do not complain. It is a matter of taste for which I am not responsible. He can record his admiration, if it pleases him so to do. But I do complain of the caustic phrases he has used toward those who sent me here, and I assert he was not justified in the attacks so gratuitously made. The Senator from Maine says very truly that the proposed outer harbor is not to be a mere local improvement, and that the entire Senate—the country at large—is interested, and that it makes no difference what the people of Los Angeles want. He takes pains to tell the Senate he does not care what they want, a proposition which perhaps it was not necessary for him to announce thus formally.

It is true that the nation is concerned in works of this kind. It is true that the views of the Senators from California are not conclusive. It is equally true that I might invade the domain of my friend the Senator from Maine and pass judgment upon public works in the State of Maine, and pay no attention to his recommendation. This course I might adopt as a member of the Committee on Commerce. Perhaps it would be my duty in certain contingencies to do so. I might act likewise regarding proposed improvements in other States. But surely I would not follow such a course without the gravest cause. It is the habit to yield somewhat to those who come from the locality immediately affected. It is sometimes the case that Senators who have resided for a long time in a particular neighborhood know more about it

than a gentleman, however able he may be, whose eyes have been transitorily cast upon the troubled waters.

The distinguished Senator from Maine stood on the shore at San Pedro and he viewed the sea from the bluff. On Sunday he found himself upon the cliffs of Santa Monica, and looking upon the bay was charmed. This survey thus made by the Senator from Maine settled the harbor question, engineers to the contrary notwithstanding. It is true he did not make any soundings. Camille Flammarion, the celebrated astronomer, has very recently written that it is now possible to ascertain whether the oceans in Mars are deep or shallow. As science has thus progressed, it is not singular that the Senator from Maine was able so accurately to determine the true inwardness of the harbor question during his brief visit to the Pacific.

The Senator from Maine tells us that he does not profess to be scientific; that he does not claim to be an engineer, familiar with all the details of breakwater construction, yet he also declares that anyone—any man of sense who gazes upon the map which he produced must read there a recorded judgment in favor of Santa Monica. Perhaps I and other Senators may be able to endure in good health this flattering reference to our restricted and constricted and arrested mental development. But I submit that the evidence which is thus alluded to as conclusive does not convince and should not control those who are anxious to reach a correct result. There are other matters of far greater value to be considered.

There are various propositions that can not very well be understood by a mere glance at the map. However, it is true that this plat is useful. It shows that Santa Monica is merely an open roadstead. It can scarcely be called a bay. A casual inspection of the Coast and Geodetic chart dispels the delusion that there is any protection at Santa Monica from the dangerous ocean swells. The Senator from Maine several times declared that the southeast gales are the winds which are generally feared. We find in the Craighill report, under the head of "Meteorological conditions," the following:

The prevailing wind on the California coast is from the northwest, nearly parallel to the coast line north of Point Conception, which is in latitude $34^{\circ} 27' N$. At this point the trend of the coast changes from northwest to west. This fact, in connection with the bold topography of the shore, causes the prevailing winds along the southerly coast of California to be westerly. This wind never becomes more than a moderate gale. It never produces the heaviest waves. The disturbance of the water due to it is, however, always an inconvenience to vessels lying at a wharf exposed to its action, and when the disturbance is greatest there is danger to vessels. This wind prevails on the southern coast during the greater part of the year with the intermission of calms in the autumn and winter. In the last-named season occur the southerly offshore winds, which produce the heaviest waves to which the coast line is exposed.

"Southerly offshore winds."

A northeasterly land wind, known as the "Santa Ana," occasionally blows from the dry hot plains lying to the eastward. Its duration is short and it is severe, but having no fetch over the sea, it raises no waves near shore. It occurs both on Santa Monica and San Pedro bays.

The southeaster comes in the winter and spring and brings rain. The storm first manifests itself by a wind from the southeast, which continues for a few hours, shifting then to the south and southwest. The storm clears up when the wind gets to the northwest. In these storms a heavy sea is developed, which breaks upon the coast line in waves of great magnitude. These waves come from the south and southwest. The waves produced by the southeast wind are short, designated by the sailors as choppy. The south

and southwest seas, on the other hand, are long and heavy. A vessel at anchor under this exposure must, under these circumstances, get to sea, with the possibility of otherwise going ashore. It is the heave of the sea rather than the wind, although the latter alone is sufficiently dangerous, that makes the strongest ground tackle at times of no avail.

So the alleged frightful southeast gales amount to little, except in so far as they are ultimately the cause of the swells which proceed from the south and southwest. The southeast wind itself directly develops no waves save the short choppy waves just referred to, and the testimony, so far from sustaining the Senator from Maine, shows that it is the heave of the sea proceeding from the south and southwest which is to be remedied or counteracted. These exposures are absolutely protected by the harbor designed at San Pedro.

The Senate will notice the protection afforded San Pedro by Catalina Island, which is $17\frac{1}{2}$ miles in length. The testimony is (and we scarcely need evidence to sustain that view) that this island tends to protect San Pedro Harbor. As I said in my opening argument, the calmest water anywhere in that ocean is on the land side or lea of Catalina, and the island being, as I have stated, $17\frac{1}{2}$ miles in length, naturally affects the water even to San Pedro. Santa Monica is not thus favorably influenced by Catalina. The presence of enormous waves at San Pedro is the creation of the imagination of my friend the Senator from Maine. No one who has resided there and who is familiar with that coast has ever seen these alarming manifestations.

The San Pedro bluff affords proof that there are no such dangerous storms as those to which our attention has been called. The bluff shows no evidence of the battering to which we are told it has been subjected. It is a silent witness in refutation of the charge.

Said the Craighill board:

A strong evidence of the weakness of the destructive action of the southeast storms is seen in the very slow wearing away of the sandy cliffs and of the bluffs at San Pedro; nor could the exposed wharves be maintained in this region if the destructive action of the storms was great.

I have heretofore inquired why the southeast storms do not affect the inner harbor. Here [indicating] we find a narrow neck called Rattlesnake Island. The surface is but little above the sea, and if the winds blow with the force described, surely the shipping in the inner harbor would be injured. Nobody has ever heard of ships being affected at all in the inner harbor by the wind. No disturbance of that sort has ever been witnessed.

Again, the Senator from Maine stated that neither the first nor second board of engineers had any knowledge with reference to the westerly swells. The Senator is obviously mistaken. In the first report Colonel Mendell says:

San Pedro Bay is sheltered from the westerly winds by Point Firmin. It is open to the winds and seas from the southwest and to the prevailing *south-west swell* above noted, over an angle of 60° to the westward of Catalina Island.

It will be observed that Colonel Mendell speaks of the southwest swell, and one of the engineers, Colonel Hains, testified about it at the recent hearing. He said the same peculiarity is mentioned in the report of Colonel Craighill, already cited.

Colonel HAINS. The breakwater is to be carried around in such a direction that that exposure does not amount to much. In the first place, the southeast gales are of very short duration. They do not last long. The wind starts in from the southeast, but the sea comes from the southwest. The sea is what causes the trouble, not the wind; and the sea comes from the southwest.

Senator NELSON. It can not come from the southeast?

Colonel HAINS. Some seas come from the southeast; but the heaviest swells come from the southwest, even if the wind is blowing from the southeast. Then the wind generally shifts round to the northward.

The reason for the curved construction of the San Pedro breakwater is because it is designed to resist the westerly swells. While it is a fact that out as far as 7 miles from Point Firmin in the direction of Catalina Island there is to be found water not over 15 fathoms deep; while it is true also that 3 miles in a westerly direction there is water of very moderate depth, nevertheless if it be conceded that the depth westerly from Point Firmin is as claimed by Santa Monica advocates, still no point is made against San Pedro, for the breakwater will absolutely intercept this swell.

The very object of its construction is to cut off these waves, and that the section proposed is well designed there is now no question. On the other hand, when we come to Santa Monica Bay we have absolutely nothing to interfere with the southwesterly swells. The surf is not serious or the sea remarkably rough anywhere along the coast of southern California. At Hueneme, at Newport Landing, and at other places referred to by my colleague there are wharves extending directly into the ocean. In Monterey Bay there are wharves built seaward, and they stand. Senators not familiar with these uncommon conditions can not well appreciate the difference between the Atlantic and Pacific in this regard. The success of the Southern Pacific wharf is by no means phenomenal.

At Redondo, for instance, shown on the map, there is an excellent wharf in full operation. The water is extremely deep, and the pier is consequently short. It is worthy of note that while the water is deeper near Redondo than at many other places on the bay, no great difference in the westerly swells is observable. Before Mr. Huntington made his development above Santa Monica most of the Los Angeles coast business coming from San Francisco was transacted at Redondo because vessels were able to come up to a wharf and discharge their cargoes. The Pacific Coast steamship has been in the habit of calling at Redondo, and it has been rarely found difficult to discharge at that wharf. These illustrations suffice to show the availability of the southern California coast for wharf construction. A glance at the map discloses a number of shipping points similar to those mentioned.

The Senator from Maine alluded several times to Mr. Huntington's abandonment of Wilmington Harbor. He never abandoned Wilmington Harbor. The Southern Pacific commenced to build a wharf near Point Firmin; Mr. Hood had charge of it. Mr. Hood was the same skilled engineer then that he is now, and he has been for a long time at the head of the engineering department of the railroad company. He was their chief engineer long before the Santa Monica wharf was built and he was thoroughly familiar with San Pedro when he commenced the pier near Point Firmin.

About the time that Mr. Huntington commenced work at Port Los Angeles the Terminal Railroad was built to Rattlesnake Island and commenced the transaction of business there. Redondo was doing, as I have said, the major part of the northerly business, taking most of it from Wilmington because of its proximity to San Francisco. So Mr. Huntington built his pier, not because of any special harbor advantages but to meet the competition referred

to. He selected a point as far up as it was possible to go. The beach narrows proceeding toward Point Dume and Mr. Huntington has so arranged matters that it is practically impossible to pass him.

I have shown a photograph of the approach to Mr. Huntington's wharf. It will be observed that it is at the foot a bluff about 200 feet high. I exhibit the picture to the Senate. The isolation of the situation is clear. A study of the photographs filed makes comment unnecessary. Mr. Huntington controls the land upon this bluff, and the ownership extends to the sea and for some 2,000 feet along shore.

I do not deem the fact that any particular person owns this land as of controlling importance, but I desire the facts in the matter to be made of record.

I wish to call the attention of the Senate to the accessibility proposition. The Senator from Maine says that he does not know why the Atchison, Topeka and Santa Fe Railroad Company people are opposed to the Port Los Angeles breakwater. If the conditions were as the Senator from Maine describes them, of course the Santa Fe would not be opposed to it. If the managers of that corporation were not fearful of a monopoly they would naturally aid this appropriation. They want to reach tide water. They are already here [indicating] at Redondo Beach, and are not far, it will be observed, from San Pedro. Indeed, I have heard that they have some arrangement by which they pass over the Terminal line. But that is unimportant, and my knowledge regarding it is limited.

The Senator from Maine says that ten or twelve tracks can be constructed along the seashore at Santa Monica. But what will become of that town? Santa Monica is one of the most charming seaside resorts of which I have any knowledge. It is susceptible of great development and adornment. Its beauties will fade if its beach is devoted to railroads and locomotives. I can not believe that the trustees who control the subject will ever allow the intrusion of more railroads along the water front. Can boys and girls, women and children, nurses and babies safely be trusted upon a shore thus devoted to commercial uses? It is not to be anticipated that the members of the boards of trustees of Santa Monica will ever permit the place to be ruined.

But if further destruction of the beach is forbidden, how can competing railroads reach the protected harbor? It may be said that Santa Monica Canyon can be utilized for approach. But the difficulties of this plan are many. The route is circuitous, the grade severe; many private interests must be condemned. I believe that no competing railroad will construct a wharf there for years, and the erection of piers by parties of moderate means is impossible. It is not a matter of surprise to me that so much opposition is manifested to Mr. Huntington's plan by those who are actuated by business considerations rather than by sentiment.

The Senator from Maine mentions that there has never been the slightest trouble in maintaining the wharf which Mr. Huntington has built at Santa Monica. I have already observed that there is nothing remarkable in this. I do not doubt that this situation will be maintained for many years.

Occasionally landing will be difficult. For instance, last March the British ship *Dunboyne* was forced to leave the wharf because of an uncommon swell. She was towed away by the Pacific Coast

Steamship Company's vessel *Corona*. But under all ordinary conditions I concede that any wharf on the southern California coast will fairly accommodate shipping. Santa Monica has no monopoly in that respect.

The Senator from Maine made a very able defense of Mr. Corthell. I do not complain that Mr. Corthell was employed by Mr. Huntington. I never have objected to that, but I do resent his attempt to pose as an official employed to give a disinterested opinion. He actually tells us in the letter which he addressed to the minority of the Commerce Committee that he acted in an official capacity. I read his language during this debate. What official authority had Mr. Corthell to make this examination? He says he was first spoken to by Mr. Huntington, and the Senator from Maine, who wanted, of course, an impartial report, sought the services of a man already spoken to by Mr. Huntington, and who had business connections with the latter, to make the examination.

Mr. Huntington was undoubtedly at liberty to employ Corthell, but the fact of such employment destroyed Corthell's disinterestedness. Could Corthell be bribed by the mere payment of a board bill? No one ever charged that he was bribed by the payment of a board bill or bribed in any other way; but I have asserted, and do say, that no hired expert, no man who is engaged to give an opinion by a party to a controversy, is as reliable a witness as a public officer who has nothing but his honor and reputation in issue. Mr. Corthell was employed for what? To assist Mr. Huntington in getting an appropriation for Santa Monica, a work in which he has been engaged ever since the Senator from Maine asked his opinion. Mr. Corthell, therefore, is an opinion witness testifying for his employer.

The very best men—persons of finest standing—have been found unequal to the task of impartiality under such conditions. Mr. Corthell is no exception. He is as intensely partisan as anyone can be. He is a loyal and warm advocate of Mr. Huntington, with whom he has long been associated, and whose interests he is seeking to conserve.

Certainly the Senator from Maine will not claim that Mr. Corthell's opinions as an employee of Mr. Huntington are to be treated as disinterested and conclusive. Mr. Corthell is greatly interested. His correspondence with Senators, his anxiety to mix in its discussion, is demonstrative of his feeling. When the Senator from Maine and others connected with the river and harbor bills sent for Mr. Corthell and spoke to him about making this investigation in a State represented by other Senators, it was a little singular, it seems to me, that not a word was said to the officers entitled to speak for that State. Would it not be regarded as a little peculiar if I, as a member of the Commerce Committee, were to delegate some one to go to Maine to pass upon river and harbor matters there without consulting him at all? The Senator from Maine has said that he wishes to be courteous to everybody. Does he think this action to be the quintessence of courtesy?

The Senator from Maine says he is always anxious to yield to Senators upon the committee. One of the many characteristics of the Senator from Maine that I admire is his firmness, his positiveness, and the fact that, when he has an opinion, he is not afraid to express it, and to do so forcibly, and he generally adheres to his view. Does not each member of the Committee on

Commerce know that if there ever was a determined chairman who not only wishes to have his own way, but nearly always does have it, it is the Senator from Maine? Talk about concessions! I have never known a man in my life to make fewer concessions than my friend the chairman of the Commerce Committee.

Mr. FRYE. I am always right. [Laughter.]

Mr. WHITE. Well, you think you are, and you are happy. I believe the Senator from Maine believes that he is always right; but one who credits himself absolutely is frequently in error. I hope the Senator from Maine will never again state in the presence of members of his committee that he is of such yielding and plastic temperament, of such conciliatory and conceding disposition. The Senator describes the formation of his opinion on this issue. In 1893, in the month of April, the Senator from Maine asserted upon this floor that his mind was fully made up. Why he desired any further investigation I do not know. Whether the Senator from Maine has ever in the course of his life changed an opinion formed by him deliberately I am unable to state. He may have done so in his younger days, but not in connection with his duties upon the Commerce Committee. His judgment is irrevocable.

The Senator from Maine, while disclaiming engineering attainments, seems to think that I was reflecting upon him in some way when I spoke of him as a navigator. I did think that the Senator from Maine was possessed of much nautical knowledge; but if I was in error I will withdraw the remark. [Laughter.] But while the Senator from Maine disclaims familiarity with technical matters he informs us that anyone can see the conclusive merits of his argument by a mere glance at his map. Those of the most ordinary intellectual development must see that he is right. This is his faith, and he does not hesitate to set up his nonprofessional judgment against those who have been employed by the Government to pass upon this subject. He not only relies upon himself against skilled authority, but he tells us that as there is one chance in ten of a decision in favor of San Pedro he will vote against the amendment which I offer. This is more conciliation.

Mr. President, the amendment which I have advocated involves the appointing of a commission of admittedly unbiased and impartial men to determine between these two locations—San Pedro and Santa Monica. What is the objection to this? The Senator from Maine says that possibly there might be a decision for San Pedro—only one chance out of ten, he declares. But this is quite enough. No impartial experts who choose San Pedro can, according to his view, be relied on. No impartial or other board for him. What does he want? He demands the power to personally solve this dispute his own way.

The Senator from Maine says that General Craighill stated that he was a fortifications engineer. So he did; and so he is; but the engineers of the Army of the United States have some riparian knowledge, I presume. They have general engineering skill. Their attainments are not confined to providing methods of defense. They have all had vast practical experience as well as thorough education in all branches of engineering science. It has been said that the reports of the boards of engineers as to San Pedro show that the main point considered was as to the availability of the harbor site for defense. This is inaccurate. The reports of these boards are here and show that but little space was

devoted to mere fortification or defensive questions. A more intimate knowledge of the contents of these documents would prove beneficial.

Look at these seven volumes on my desk, compiled in the War Department and sent here for the study and enlightenment of myself, the Senator from Maine, and other Senators. What do we find? Only references to fortification matters? By no means. We find the advice and recommendation all through these books of the army engineers concerning riparian improvements. The great rivers, over which pass hundreds and thousands and millions of tons of commerce, are kept in proper condition under their management and control. The harbors needing improvement are committed to their care, not merely to carry out a project elsewhere devised, but their advice is solicited and obtained and acted upon with reference to the character of the improvements to be made. They furnish projects at the instigation of Congress. Grant that they are sometimes mistaken. Everybody is sometimes mistaken, except my friend from Maine, and we have his authority that he is never wrong. We concede that engineers are human—they are fallible—but if we have doubts as to the correctness of a conclusion which they have reached, let us investigate in an orderly way and obtain proper indorsement and authorization somewhere before we pledge ourselves to a contrary policy. If the eight engineers whose reports are being discussed are not all wrong this appropriation should not be made.

I have been criticised because I remarked that the Santa Monica site had been condemned. I would have been strictly accurate had I said that the engineers recommended San Pedro as the preferable place, and alluded to Santa Monica as comparatively undesirable. But this is a decision against Santa Monica. It is a virtual rejection of that site. It is true that many competent officers hold that the Santa Monica breakwater can be successfully constructed. Major Raymond does not think so, and I believe he has had more experience in the matter of breakwater building than anyone in the United States. He thinks—and his view seems to me rational—that the westerly waves will pass in behind the artificial protection. The construction parallel to the rectilinear shore does not appeal to his experience or mathematical investigation.

But, at all events, this disputation merely amounts to this, that my friend from Maine, the majority of the committee, and other intelligent, nonprofessional gentlemen, think that the engineers have made a mistake, and they propose not to let any contingent contract, not to do as Congress did in the case of the Brunswick Harbor, or in the Eads jetty matter—which, by the way, was approved by numerous members of the Engineer Corps—no success no pay—but we propose to appropriate flat \$3,098,000 against the recommendation of our own officers, and in compliance with Mr. Huntington's unapproved solicitation. It is to that style of business that I object; and it is to the candid judgment of this Senate that I appeal. Senators, are you willing to make this appropriation without any recommendation, and are you ready to vote down the proposition that there must be some approval by some competent official authority? Can we afford to contribute governmental funds without any sanction or excuse?

I demand the judgment of a competent board. I have entire

confidence in the Army Corps and in their opinions. Others differ from me. I am not unreasonable; but I insist that, even if Senators believe that developments lately transpiring indicate the preferable character of Santa Monica, still it is essential that we be accorded the favorable opinion of an able, qualified, and unprejudiced board suggesting the propriety of our action. Can you afford to vote down such a proposition?

I have repeatedly asserted that I announced no dogmatic rule for the formation of such a commission. I have no friends in this case to serve, no enemies to punish, but a duty I have to discharge. I want no stuffed commission, no prejudiced institution, nobody biased in any way whatever. I have submitted time and again to the majority of the committee the proposition that they should suggest some method of constructing an impartial board, and I have said that I would acquiesce, and yet that proposal has been refused, without reason assigned. I resubmit my proposal. I plainly suggest that there is no excuse, even tolerably plausible, against my tender.

My friend from Maine says that if there is to be an outer harbor at San Pedro then the inner harbor should not be improved. From this view I utterly dissent. The inner harbor of San Pedro is most valuable, even as it is. Wharves line the harbor frontage at that point—not piers costing hundreds of thousands of dollars, but wharves owned by moderate mercantile interests in Los Angeles—over which extensive commerce is transacted. This is done though only 14 feet at low tide is found upon the bar. When the Benyaurd project, adopted in this bill, shall have proved successful there will be 18 feet at low tide within that harbor and hundreds of wharves will demonstrate the reasonableness of the projects which the Engineer Corps has indorsed. The inner harbor is confined by low land. The bluff rises rather abruptly farther on at San Pedro. The facilities for wharves and docks are marked, and the improvement of the so-called inner harbor has not only proven successful as far as it has gone, but few commercial projects offer more striking possibilities.

I have never known or heard of a citizen of Los Angeles opposed to the improvement of the inner harbor. The entire community appreciates its advantages and merits.

I have learned many things about the people of my home. Notwithstanding my long residence there I have been informed that the lawfully elected Representatives of that section are in the dark. My friend from Maine says that the present Congressman from that district was instructed when first nominated to support San Pedro, and that now he is renominated by a convention which passed a resolution in favor of Santa Monica.

The Congressional district convention—Republican, I am glad to say—to which allusion is made, passed a resolution in favor of all appropriations. In other words, they said, "We will take all the money you will give us." A willingness to absorb, not dependent upon a choice of places. A sentiment favoring donations common to all enterprising communities.

The Republican convention in California lately assembled was a very curious affair. I do not intend to discuss politics, but I must say that that body passed a resolution denouncing the Pacific Railroad funding bill as a fraud and an outrage, and at the same time put on the electoral ticket the vice-president of the railroad company offending—a very estimable gentleman. The only mem-

ber of the California Congressional delegation who indorsed the funding bill, and who, by the way, is an able member of the House Committee on Pacific Railroads, was elected a delegate to the national Republican convention upon a platform declaring not only against the funding bill, but also in favor of William McKinley and free and unlimited coinage at 16 to 1. [Laughter.] If there is any subject not covered on both sides by my Republican local brethren, if my friends of the opposition have not agreed to all things that conflict, I am at a loss to interpret their singular platform. But the general sweeping resolution mentioned by the Senator from Maine merely amounts to an acceptance of all appropriations which we may make. Very few Republican conventions (I mean no offense) will decline to assimilate that which they can get. [Laughter.]

Mr. ALLEN. Did that convention make any specific reference to Santa Monica?

Mr. WHITE. No; but in the county of Los Angeles, where there are six assembly districts, two only of such districts acted upon the subject in recent Republican conventions and these passed resolutions in favor of San Pedro. So you have it. The immediate locality favors San Pedro. The Republican State convention indorsed the railroad as far as nominees were concerned, advocated all appropriations, McKinley, and free coinage, and opposed Democracy, monopoly, and the funding bill.

I am not responsible, I am glad to say, for the proceedings of the late Republican convention held in California. The Republican delegation being absent from that State, the convention evidently escaped from proper or consistent management. As far as the sentiment of the people of Los Angeles is concerned, I know whereof I speak when I say that their judgment is overwhelmingly for San Pedro. There are many, as I have admitted, who prefer to take Santa Monica rather than lose the appropriation; but, be it said to the credit of Los Angeles County, and let it be said to the credit of the workingmen of that prosperous section, and to the honor of the chamber of commerce and the board of trade, that they have all elected to sacrifice a mere appropriation rather than to lose independence. The leaders and officials of almost all the labor organizations of Los Angeles have manfully and grandly supported the right in this struggle. They have emphatically declined to submit to blandishments and have approved of the course of my colleague and myself.

I feel that we should reach a vote upon this proposition at once, and I concur that the bill should go to conference immediately. I submit the issue to your candid judgment. Your opinion can not be coerced or controlled. You know this case now. Its various phases have been fully examined. I have sought to impress the facts upon you, content to rest my claims upon justice and truth.

The struggle which I have made here may seem stubborn to some, but it is maintained in the consciousness and belief that I am acting for the public interest. No demagogical appeal—notwithstanding intimations to the contrary—has influenced or ever will influence me. I have been as able as the Senator from Maine to maintain myself in my conservative methods without condescending to belittlement. I experience natural pride in my presence here, but I would willingly sacrifice that honor rather than yield my maturely formed judgment to any senseless clamor,

to threats or flattery, to condemnation or applause, and I might say, Mr. President, that I would rather be a lawyer whose word was as good as the rich man's bond, and whose opinion upon an intricate question of judicial science was valued by the master minds of my profession, than to hold in my hand all the honors that ever were won by appeals to the passions or prejudices of men. [Applause in the galleries.]

* * * * *

Mr. FRYE. Mr. President, the Senator from California has painted a picture of me which I do not believe any Senator who has been associated with me for quite a number of years will recognize. I think I do yield very frequently, and to a certain extent I am going to yield now, notwithstanding the charge which has been made against me—the navigator of the committee. I objected very seriously to the amendment offered by the Senator from California. It contained an army engineer as one of the commission. I am not saying anything against the army engineers, but in a question of this kind, in which there has been so much discussion and friction, to put on that commission an army engineer, when his chief is the head of the Engineer Department, and was the head of one of the boards which made report to Congress and has been under consideration, I do say that it is packing, in all human probability, the foreman of that jury, for he would be the foreman, and I should not be content with nor would I risk a commission of that kind. It was on that account that I said there might be one chance in ten of a commission so constituted reporting in favor of San Pedro.

The Senator has offered an amendment to strike out the item which the committee had inserted in the bill, and to insert his amendment. It is my right before that question is taken to perfect, so far as I may, the amendment which the committee itself reported, and I am going to propose a commission which, under the statement of the Senator made within the last fifteen minutes, I fail to see how even he can refuse to accept.

In order that the Senate may understand the amendment I now propose, I will read the first two lines of the amendment reported by the committee, which read in this way:

For a deep-water harbor at Port Los Angeles, in Santa Monica Bay, California.

After the word "California," in line 14 of that amendment of the committee, I move to insert these words:

Or at San Pedro, in said State, the location of said harbor to be determined by an officer of the Navy, to be detailed by the Secretary of the Navy, an officer of the Coast and Geodetic Survey, to be detailed by the Superintendent of said Survey, and three experienced civil engineers, skilled in riparian work, to be appointed by the President, who shall constitute a board, the decision of a majority of which shall be final as to the location of said harbor. It shall be the duty of said board to make plans, specifications, and estimates for said improvement. Whenever said board shall have settled the location and made report to the Secretary of War of the same, with said plans, specifications, and estimates, then the Secretary of War may make contracts for the completion of the improvement of the harbor so selected by said board, according to the project reported by them, at a cost not exceeding in the aggregate \$2,900,000, and \$20,000 are hereby appropriated, so much thereof as may be necessary to be used for the expenses of the board and payment of the civil engineers for their services, the amount to be determined by the Secretary of War.

Mr. VEST. I will suggest to the chairman of the committee that he insert the words "who shall personally examine the localities named."

Mr. FRYE. I will say "who shall constitute a board and personally examine."

Mr. WHITE. I presume the Senator from Missouri has in view what he thinks is the necessity of re-sounding this harbor.

Mr. VEST. Yes. I do not want this work done by proxy, as has been done in other cases.

Mr. WHITE. I will suggest that the Coast and Geodetic Survey charts, upon which navigation is conducted on that coast, are presumably accurate. However, I only make that statement because I do not think it is just to criticise General Craighill for not making soundings, which had been officially done by the Coast and Geodetic Survey. Still, I am not objecting to the re-soundings.

Mr. TELLER. I suggest to the chairman of the committee that \$20,000 is not an adequate sum for that kind of work.

Mr. FRYE. The Senator from Iowa [Mr. ALLISON] was just making that same suggestion to me.

Mr. TELLER. I want to say that if the President of the United States selects three engineers such as he ought to select, each one of them should have at least \$10,000 for that work.

Mr. FRYE. Suppose we make the amount \$40,000?

Mr. TELLER. I should say it ought to be at least \$50,000—say "to be used in the discretion of the President, not exceeding \$50,000."

Mr. FRYE. Very well.

Mr. PERKINS. I would also suggest to the chairman of the Committee on Commerce that there should be limit of time within which the matter shall be determined. It does not seem to me that it should be like Tennyson's brook, to run on forever. I think there should be a limit of time.

Mr. FRYE. No; I do not think there should be. I think the board should have all the time they need to settle this question. There is one thing above everything else I wish, and that is a settlement of this vexed question.

Mr. BERRY. I wish to remark to the Senator from Maine that it seems to me that it would be fairer and better to take two of the members of the board from civil life and two from the Coast and Geodetic Survey, or one from the Coast and Geodetic Survey and one from the Navy. It occurs to me that it would be better to have more public officials on the commission who are responsible to the Government. I simply make the suggestion as giving my views about it.

Mr. FRYE. I am obliged to the Senator; but I have all day been running this over in my mind, and as a conclusion, a fair conclusion of this contest, I finally have settled down upon this proposition. As a matter of course, I have yielded a good deal in doing so. The Senator from California is practically having his own way, when he says he simply asks an entirely impartial board.

Mr. BERRY. Is the proposition satisfactory to the Senator from California?

Mr. WHITE. I have stated that I would accept any impartial board; and I usually stick to what I say, or try to do so, and I believe the President of the United States—I not only believe, but I know—will do his duty in this regard. If I had my way about it I would rather have one army engineer, but I see no reason to think that this will not be an absolutely impartial board. I think all the other boards have been impartial; but this is an endeavor to reach a conclusion satisfactory to the Senate, and I will adhere

to what I stated. I have consulted with those who agree with me about this matter, with as many as I could talk to about it, and it seems to be the general impression that I should accept the amendment. While I have my preferences, as stated, I do not wish to interpose any objection to the accomplishment of a plan which is a concession by the Senator from Maine and also a concession by the Senator from California. I think we can afford to stand upon it.

Mr. FRYE. I offer the amendment, then, Mr. President.

Mr. PASCO. Mr. President, as one of the minority of the committee who objected to the majority report, I am entirely in favor of this amendment, and I am very glad that the Senator from Maine [Mr. FRYE], the chairman of the committee, has conceded so much. There never was a time during the sessions of the committee when the minority of the committee would not have joined with him in obtaining what we all regarded as a fair and impartial board; and I think the amendment he now offers to us proposes just such a scheme as that. For one I hope that it will be adopted and that this plan of settlement will be agreed upon by the Senate.

[Title: 'Overland Trip',
S.F., 1875]

THE OVERLAND TRIP.

A NARRATIVE LECTURE,

DELIVERED AT

Dashaway Hall, San Francisco,

BY CHARLES A. SUMNER, OF SAN FRANCISCO.

Mr. E. T. Batturs introduced Mr. Sumner to the audience. Mr. Sumner said:

LADIES AND GENTLEMEN:—I am confident that the first sentiment which an old Californian desires publicly to express on his return from a recent journey to the East, is one of gratitude:—that it has been his lot and privilege to have a home in this far country; to have marked the growth, and participated in the experience of pioneer life on the Pacific; and then to have witnessed the contrast presented between this section and the older places, of higher civilization and refinement, in our nation; and to have been vouchsafed a quick deliverance from the perils of THE OVERLAND TRIP into the beloved land finally adopted as his own.

Measurably, I am sure, by every one of us this disposition will be manifested when circumstances and occasion shall offer and induce.

And so it is to-night; that before this promiscuous audience, composed perhaps, and probably, in great part, of individuals with whom I have not the pleasure of a personal acquaintance, I feel an irresistible impulse to declare and reiterate my satisfaction and joy in regaining my habitation, as it were, in this chosen commonwealth.

I wish to speak to you to-night with entire freedom, as I understand it is my privilege to do; mostly, of course, in a narrative form,—with an occasional suggestion and comment. I desire to bring forward and to emphasize

with fairness some facts which I think should be known and kept in constant remembrance by the people generally; and to stimulate some resolves which, I think, deserve a place in the firm and abiding purpose of every intelligent man and woman in California. Nor is this a bold preface, or one calling for great length of performance.

Let me say now without further immediate explanation—in that connection which subsequent remarks will justify:—if Californians who are competent to speak of such matters would make it a part of their citizenship-duty, while journeying in the Eastern States, to give in public, as opportunity presented, their ideas of the advantages and of the relative disadvantages of life in this portion of the nation, and would bring back to popular assemblies on this coast their general observations and reminiscences of life and progress in the East, and an account of their enjoyments and endurances in traveling across the continent, many, aye, hundreds of wrong and very harmful impressions would be removed on either hand, and a large increase of immigration of the most beneficial order would be secured, and many great reforms in facilities and conveniences of passenger transportation would be effected. And if the criticisms of our own public journals shall be considerate in the premises—as they have been so far—I am certain that such a habit on

the part of visitors from California could be established, and such good results thereby attained. Nor would there be danger, I think, of a surfeit of *talk* from the Western to the Eastern States. And I say this not only as an apology for myself in the past, but as an intended encouragement for others, acknowledged to be more competent, in the future. California, my friends, has suffered greatly—as I am warranted in stating—from the professional traveler and his correspondence, and the professional lecturer. The candid, truly-informed citizen can redeem the State from much opprobrium, rebuke false representations, and warnings, and bad counsels, and invite and welcome fresh peoples and enterprises to points in our boundaries where, of all the great country, they are most needed, and where they will thrive most abundantly.

What may be said in extension of these introductory ideas belongs also to another portion of my address.

And now, as is most fit—as a necessary part of the proper commencement of our OVERLAND TRIP—let us indulge in some brief reminiscences.

You remember how the first tidings of the discovery of gold in California were heralded and received in your native or adopted city or village. First, as the doubtful paragraph—descriptive of the lucky findings of a single adventurer, who would not, probably, have many comrades or successors in such a rich dispensation. The hardly-credited item of an individual discovery rapidly growing into popular acceptance as repeated assertions and as details came to hand; then the quickly following stories of similar and greater “good luck” on the part of Americans, who, for other and various objects, had settled along the upper Sacramento and its tributaries. Then a little, then more, then large testimony and demonstration of the existence and wealth of the diggings, in the unquestionable shape of slugs and sacks of the “*real article*,” delivered to the expressman on the New York wharf from the safe-holds of the first vessels that connected across the Isthmus of Darien. Some of you remember well how it was in the East in those early days of ’49. Younger ones will be willing to learn or to be reminded. How the boys in the city and in the country became intoxicated with the California Fever—restless at school, inattentive to customers in the store, incompetent at the workshop or on the farm. One suggesting to his father that he would forego the proffered privilege of a collegiate or professional education; another, that he did not like the proposed apprenticeship in a factory—for the obtaining of which he had before been zealous; another beginning, and with increasing emphasis, continuing to declaim against the tediousness of toil on the old meadows and corn-fields, or on the threshing-floors of the barn; all classes, finally, breaking out into an uncontrollable frenzy of expostulation and desire, which could not be cured short of an excursion, at least, to the rivers where the precious metal was

reported to be had for the cradling. And at last, generally, the consent was given: more readily by the ambitious father, who felt the impulse in his own veins; most sorrowfully by female kindred and friends. Then the mother bade her son good-bye with a heavy heart; for although the chance for rapidly-acquired wealth might not be exaggerated, the dangers of the voyage were matters of undisputed knowledge. Then the newly-wedded wife, with expressions of affection that failed to tell her grief, commended the husband, who must depart on the experimental trip, to the God whom both, from infancy, had been taught to reverence and adore. And the maiden bade her lover “Good-bye;” protesting an unalterable affection for the “Joy of her Heart,” the “Pride of her Eye,” the “Hope of her Life;” never, never, no, never to be lost from her memory and love—until he had rounded the now proverbially jilting promontories of Cape Horn! And the most peculiar significance of it all rested in this: that the departure was not to be for a foreign country, but to the borders of the same great nation. The expanse of the republic was to be made known realizingly;—how providentially!

And then comes the recollection of the scenes that we have witnessed here: the labor, the delights, the expectations, the disappointments—all the fluctuations of heart and fortune through the early years of California; greater or less with each one of us as the period of our immigration was nearer to or more remote from the year named as the pioneer date. And so, forward and up; to this very night when your through ticket is purchased, and you are actually about to enter upon THE OVERLAND TRIP.

You recollect the experiences of your first voyage. Was it by the sea? The long, long weary weeks and months in the gloomy cabin and on the crowded deck of the sailing packet, making the circuit of the continents. Was it by the comparatively comfortable Isthmus steamer—with the tough work and the fever sickness of the Darien transit? Was it across the plains? Four to six months of dragging, dragging, dragging on the immigrant trail, from the “wild Missouri” to the western foot-hills of the Sierra Nevada?

Your reflections are modified from the beginning, of course, by the character of your first transportation; and then by your subsequent visits to the East, if any have been made by you since your first advent here. But dealing with every individual case of first transcontinental passage direct by railroad, the time is an epoch in the life. Going home! Going to our old native or adopted home, by railcar all the way. About to traverse from ocean to ocean in the most expeditious—and all things considered, for this distance—the most pleasant mode that has yet been devised by the ingenuity of man. What is a new experience for the world of travelers must be a doubly interesting journey for us.

As you come out of the railroad office with

your \$140 ticket in your hand, you will be apt to exclaim: "Is it possible that in eight days from this afternoon I shall be looking out upon the ocean from the Cape Cod side of this hemisphere?"

Although the trains of the Pacific roads have been running regularly for several years, it is yet exceedingly difficult to realize the change that has been wrought in the rapidity of communication. Letters and papers and friends have certainly come through in a given time; and we have examined all the maps of the route long ago, with a minuteness of inquiry that left no ground for rational doubt in our mind concerning the fact of the construction of the road; and yet in this prefatory day, it persists in being a half doubted accomplishment. You may judge this to be impossible with a sane mind; ridiculous in the extreme? But it has been, or will be, under the presumed circumstances, your own experience, so sure as you are an old Californian and belong to the human race.

My friends, the education of our isolation has been tremendous! (And this perhaps is in some sort a philosophical explanation of the indifference or supineness of the masses of our people under the impositions or extortions to which we shall presently refer in detail.)

It is a few years—and it is many years, at the same time—since the steamers were signaled from Telegraph Hill. And as the ferry-boat pushes out into the bay from the Pacific street wharf, you involuntarily glance upwards toward the telescope summit, and regret that the old house that crowned it so long has been taken away by the elements. For your memorial visit at this juncture to the early times would have been perfect, if that structure had remained to identify the scenes.

We are at last literally on the way direct across the continent. It is a sigh and a hurrah! To the most phlegmatic there are a multitude of stirring recollections and anticipations, which contribute to make the countenances of the "through passengers" remarkably expressive.

Despite the sobriety of John Smith, *paterfamilias*, aged fifty—who is going home with his three little children and their governess—who evidently believes that he ought to be particularly steady in his demeanor on this occasion, both as a man of the world, accustomed to all this sort of thing before it takes place, and as a parent who must set a quiet example to the young folks—withstanding his determined sobriety of face and manner, the old gentleman will sloop over his resolution with a smile now and then—the irrepressible token of his inward joy, pride, and hope, on this the first morning of his voyage. And as for the youngsters themselves, whose nativity and education has been on this coast, in this State, there is no limit to their jubilant demonstration; and beyond the affected serenity of the father, just noted, there is happily no attempt to restrain their dancing ardor, or check their

loud laughter over the simplest, most witless, and yet most charming sallies of this or that already installed captain of the troupe. It is true that now and then there flit across the faces of some of the voyagers undoubted expressions of melancholy; either for the recollection of old times here, or the fact of changes which they will mark with their own presence yonder, by-and-by.

Out in the middle of our bay, the view is direct through the Golden Gate. The yellow outlines on the far, far western horizon, yield the last attainable sight of the Farallones.

Now the little children grow silent and exhibit their appreciation of a genuine farewell, as the ferry-boat rounds under the shadow of Goat Island.

Into the spacious jaws of the terminal dock; up the gangway; into the Silver Palace car, where seats are at once assigned by the colored conductor.

There is not anything novel to you, perhaps, in the trip as it stands from Oakland to Sacramento. To many of us it is an old story, from San Francisco to western stations in Nevada. But the location, or the train, is probably new to all except those who have crossed the mountains.

We must have the pardon of some of our hearers for an interval in which we refer with particularity to the accommodations of the train, and ordinary scenes and incidents belonging to the first day out.

The Silver Palace cars differ from the Pullman principally in being constructed, in the interior, of smaller and lighter wood, and in having a fixed, upright division, reaching half-way across the seats from the sides of the car. There is a thinner shelf for the upper bunk, which is ingeniously jointed so as to both pull down and pull out—the additional hinge and fold in the bottom of the bunk providing for a packing of mattresses and blankets in a cupboard six inches higher than the grade of the bed when fully let down. Opinions differ, I found, very widely and very strenuously, in regard to which of the two kinds of sleeping cars is the most desirable: some preferring the entirely open space given between the seats when the bunks are closed, as in the Pullman car; others reckoning it a point of excellence in the Silver Palace that the neighbors who sit nearest the window on reversed seats are absolutely separated from each other. I think the Silver Palace presents a decided advantage in this, that from the upper bunks you can look out through a glazed aperture on the country you are passing. Although the view is "limited," and the position necessary to obtain it cannot be maintained long with much pleasure, yet this is to the credit of the Central Pacific over the Pullman trains; for in an upper berth in the latter you can see nothing beyond your narrow parallelogram, except you had such a vision as that which Sam Weller candidly avowed was denied to him. It is certain that there is yet to be invented—and many bless-

ings and a financial fortune await the inventor—some mode for the thorough ventilation of these cars, secured without a dangerous or unpleasant draught. Neither in the Silver Palace nor in the Pullman is there a proper circulation of pure air in the night time, for the benefit of any passenger, except you obtain a lower bunk and enjoy the privilege or steal the advantage of an open window. And then there is danger, notwithstanding your best precautions, of catching a cold which will torment you for a month to come.

The train rolls slowly out from the sheds at the terminus, and along the projecting pier; and as the nervous trembling of the piles of the wharf is succeeded by the noise of a firm tread on the embankment, there is a sudden spring for the first station—Oakland,—and the little folks cry out: "The engine is off for Boston!"

Along the cool and breezy sea-shore side, until the road hugs the foot-hills and passes through the sharp and romantic gorge which begins at the last mark of ancient Mexican industry, "Vallejo's Mill"; out into the valley on the eastern side of the Mission Peak range of mountains—a valley at first promising harvests in reasonable abundance, gradually exhibiting more and more of the destructive effects of a drouth, until on the plains of Livermore a scene of pitiful barrenness is presented. It was in our day sad to think that this was one of the views which an incoming stranger might behold and lose heart upon. It is not an agreeable picture to an outward-bound traveler who has proposed to himself, as he conscientiously believes, some veracious descriptions of California productiveness in cereals and fruits, and who is now perplexed to know how he can with honesty answer or evade probable questions concerning localities where the crops are "uncertain as a rule," and only half the general average of the yield in our State as an exception. While he does not intend to say anything which the facts will not amply justify, nor to leave a false impression by undue boastfulness on the strength of the harvest in some of our districts, he knows that it will most unfairly break or diminish the effect of his recitals if he has to "rise to explain" how it is, that just before the western termination of the overland trip the railroad passes over a long patch of ground which in some years shows the opposite of his estimates and guarantees.

The double team is hitched at Livermore station—a post of large promise and distant fulfillment—and the first heavy ascent of the Central Pacific is speedily gained by main force; (which, the old gentleman in front of us declares, makes it no assent at all; and he snickers over his joke from the point of delivery until we have safely passed the Insane Asylum at Stockton).*

Going through the San Joaquin Valley, or that portion of the mouth of it which is traversed by the railroad, we have considerable general conversation about the proposed Irrigating Canal. It transpires that each one is

stocked with many items as to the amount of capital required, and the progress of the work. Some preparation has been already inadvertently made on all hands for the familiar talks and catechisms that are appointed once for every visitor to his eastern home.

The farmer who, for the time being, sits at my right, says that he is confident that a dollar an acre from the land to be watered will aggregate all the cost of construction, within one year; and the revenue thereafter will be almost clear gain, as the expense for repairs cannot be more than ten per cent. And the ranchman can well afford to pay five times the sum named for the assurance of his crop. So we all agree: there is nothing in the shape of enterprise in California which professes better things to the investors, and for the beneficiaries who are to pay the great but easy interest on the original cost of the simple ditches and viaducts.

And then there is the first mutual detection of note-book preparation and cramming, in the matter of slyly jotted memoranda of the additional facts, and the endorsement of items already known, which had been just gained, and now have been recited.

A Hebrew voyager, who sits diagonally across from my section, drops the mask, when he observes that it is of no avail; and coming over to my seat he candidly informs me that he is going to note "sum dings" for the benefit of his incredulous correspondents in Munich and Berlin:—A proclamation of a voyage to Germany, commercial relations with great European capitals, and laudable intention to enlighten ignorant or prejudiced foreign "houses" who doubt California—in spite of the recorded amount of exports—and who magnify occasional local crop failures into general and biennial calamities.

We are reminded, as we pass up through the Sacramento Valley, that a few years ago it was considered a comparatively unprofitable section, on account of the frequent drouths, and the adobe-tough nature of the soil. Now experiments have become demonstrations, in regard to raising here fruits and grapes in luxurious abundance in every season;—thanks to Wilson & Wheeler's Alzora enterprise; whose vineyards and orchards are unsurpassed in California, and unequalled elsewhere in the world.

Note-books out again. Some unsheathing them with defiant boldness; others openly, but with an expression of countenance as if no one was looking; others still, with a nervous haste, as if they were suddenly called upon to jot down some strictly private suggestion about store or office affairs. [Why this prevailing timidity and detestable deceitfulness? The professional reporter makes this inquiry with all sincerity, but perhaps from an inappreciative and unfair standpoint; for with him the memorandizing is, of course, the purest matter of business.]

Twenty minutes at Sacramento for refreshments. This is the starting point proper of the Pacific Railroad. Here, in '61, the Central

Pacific Railroad incorporation was formed. Here, beside the river, in 1863, the first shovelful of earth disturbed in the construction of the route on which we are to travel was lifted and thrown. From this point the three-fold division is made for connections with San Francisco—by the two railroad routes and the river steamer.

You will find the general impression at the East to be, that Sacramento is a place of nearly the size of San Francisco, and in wealth and solid activities much after the pattern of Hartford, Conn.

It may be natural for you to think that if the decree is to go forth ordering you to depart from the State, as an emigrant or an exile, never to return, then there could not be a more fit and acceptable place to take an adieu than at Sacramento; which, on account of the notorious rapacity of its hotel-keepers and some of its small tradesmen, is the most unloved of all cities in California. But we shall expect it to outgrow this reputation and odium. It is everywhere eulogized as an example of great and indomitable will. Its many total destructions by fire and flood move you to pity and admiration, as you engage in the suggested review while you are gliding past the sloughs, over the American river, and out on the flowery plains that stretch toward the mountains beyond.

Past the "Junction"; past the Groves and the Quarries; halting at Rocklin, where the twin locomotives are coupled with which the great western grade of the Sierras is to be overcome on behalf of our heavily laden nine-car train.

And now, in the mid afternoon, will come the recollection and the comparison of the transmontane trip in the flush times of Washoe. Scores of persons in this audience can recall vividly to mind the hardship, the inconveniences, and yet the exhilaration and the glory of that stage-coach era.

Over the favorite Placerville route about two days were occupied, counting from San Francisco, in pleasant weather. During a short interval, and until the Central Pacific purchased the Sacramento Valley road, the passage was made between San Francisco and Virginia, via Freeport and Placerville, in thirty hours.*

I well remember when, in 1857, as the correspondent of the *Sacramento Union*, I became one of the party that made the pioneer stage trip across the Sierras. We left Placerville

early in the morning and camped near the spot afterwards known as Strawberry Station. We were engaged two hours of the forenoon of the second day in making the passage of Slippery Ford; a shallow crossing which eminently deserved the title it bore. Our Concord coach—containing the driver, whose duty obliged him to remain on the front seat, and John G. McCallum, whose constitutional frailty obliged him to retain possession of the rear seat—was let down the eastern summit side by the aid of prudently provided guide ropes, into Summit Valley. The subsequent passage over the second summit, and down into the southern end of Carson Valley, was without special danger or incident. Among our comrades a portion of the distance, and one of our fellow sojourners in Carey's barn, the second night out, was Mr. C. P. Huntington, now, and for a long time, the Vice-President of the Central Pacific R. R. Co. We visited Genoa, then a Mormon settlement; conversed with the renowned Lucky Bill, who subsequently bowed his head deferentially to the emphatic opinion of a vigilance committee, after he had discovered that it was unalterable; we were entertained in a pronounced "hostile manner" by old farmer Mott—whose hospitalities, dispensed in his log dwelling, a few miles south of Genoa, were enjoyed for many years by travelers from California to Salt Lake. We heard, at the time referred to, that "Uncle Billy Rogers" insisted that he had discovered great silver mines, fifty or sixty miles south of Genoa; and we listened to the compassionate sentences of the loafers who hung about the store at Genoa, and dilated on the "old man's lunacy."

You may recall many passages under the custodianship of the crack drivers of Wells, Fargo & Co.'s line, after the silver discoveries of '59-'60; such as we revive in clear outline on this sunny spring afternoon, as we smoothly rise on the 90 to 116-foot grades at the rate of fifteen miles an hour.

At Colfax, the great majority of our way-passengers from San Francisco and Sacramento take their departure; but the sleeping-car list is not changed at all until after reaching Reno.

At Colfax, the observation car is coupled on, and passengers who have not seen Cape Horn and the great valleys beheld from Giant Gap, eagerly press into the moving observatory.

From Alta to Cisco, the super station, the discussion is concentrated, not very edifyingly, on the subject of snow-sheds.*

* The Sacramento Valley R. R. was purchased with money raised from bonds that were by the Pacific R. R. Act of Congress, solemnly dedicated to the construction of the Central Pacific R. R. proper! And over this outrageous monopoly act of the R. R. Co., the *Sacramento Union* and *Evening Bulletin* hurrahed on behalf of the R. R. Co., because this act destroyed the basis line for competition on a rival Trans-Sierra Nevada R. R. No subsequent act of the monopoly was in more direct and palpable violation of the law of the land, under which the R. R. Co.'s managers were the beneficiaries.

* When Col. F. A. Bee admitted in 1865, for the Placerville and Washoe route, that eleven miles of snow-sheds would be required on the summit immediately above Strawberry, on that route, the papers that have recently taken the people's cause especially in championship, as against the Railroad monopoly, ridiculed the idea of the attempt of Wells, Fargo & Co., and British capitalists, to build a R. R. over a route that would require such a covering. And in this the several sheets confessedly spoke for the monopoly;

Now the preparations are made for sleeping. One by one the upper bunks are dropped down, and the full line of berths is made up by 9 o'clock. At 10 o'clock the lights are turned down, and apparently the car-load of humanity is asleep. If you have been fortunate enough to secure a lower berth you may obtain a full supply of fresh air at your head or feet, and with a double pillow you may enjoy delightful moonlight views—presuming that you have the moon—in the groves of the summit and on the eastern slope.

You will probably fall asleep immediately after you leave Truckee. But you will be awakened from whatever sleep you may obtain by the shouting of the crowd gathered on the platform at Reno, and the growling noises of the aroused and quitting passengers, whose destiny is Virginia City or adjacent towns.

Broken, troubled dreams are the usual experience of passengers the first night out; and if you are blessed in your railroad dormitory with a passenger who confesses that he is afflicted with the "jim-jams," (wherever and however that title of a cross between somnambulism and *delirium tremens* originated) your rest, not only for the first but for the succeeding nights, will depend largely upon your faith in the watchfulness and physical strength of the negro guard.

With a thankful spirit you welcome the early morning light. We are out on the plains, approaching Humboldt Station, where breakfast is to be served. And here we meet with the first casualty of the trip, and one of common occurrence. One of the sleeping car wheel-boxes becomes so heated that it is necessary to substitute a new cap. The train is stopped, the rear end of the car is lifted from the track by jack-screws, the heated cap-block is divided and cut out with a cold chisel, and a new cap is fitted; the operation causing nearly an hour's delay. "Now put for breakfast," is the direction of the conductor to the engineer, Humboldt Station being thirteen miles distant.

The alkali dust in this section is remarkably fine and penetrating; and running at the rate of thirty miles an hour, to make up for lost time, there are vast clouds of blinding and parching grit raised and driven through crevices of the double windows of the car. All the passengers are employing their handkerchiefs in ministering to their eyes, and the old gentleman in front of us is sneezing violently every few minutes. The little children, when they are not occupied in clearing their own sight, are making concentric circles in the loaded atmosphere, by blowing at the same focus from different angles—a proceeding in natural philosophy that might be equally

gratifying to their elders when not by this sport made subject to additional distress in breathing and in winking out the whirling particles.

In less than half an hour from the moment of starting from the point of our accident—if it may be dignified by that name—we are at Humboldt Station.

Humboldt Station is an oasis in the desert. It is a demonstration of what may be effected in the way of redeeming and making fruitful the alkali plains by the simplest process of irrigation. Here is not only a garden yard of an acre or more, producing large and fine looking vegetables, but a great adjacent field of twenty or thirty acres, in which the corn is springing fresh and green, and over which the crow caws loud and high.

Immediately in front of the hotel is a platform space of some thirty by fifteen feet, in the midst of which a fountain is set, surrounded by a railing, over which we lean for a few moments and listen to the gushing conversation of some young ladies—who remark, among other things, that, "as springs in deserts found, seem sweet, all brackish though they be, so 'mid the withered wastes of life those tears would flow to me.'"

Here there is another effort made on the part of some of our party—not yet lost to shame—to secretly engrave some additional notes. They are discovered, exposed, and denounced.

Here, as at succeeding stations to the east on the Central Pacific, a few Indians are gathered; the women and children appealing for bits and the remnants of luncheons, which are liberally bestowed; the warriors frequently requesting a ride on the locomotive, which, for obvious peace-treaty reasons, is never denied.

"Twenty-five minutes for refreshments" at Humboldt Station. They give you full time for your meals on the Pacific railroads. "All aboard!" A forenoon's ride before we reach the passage of the Palisades. We ascertain, with marked unanimity, the place and hour for the next change of locomotives and conductors; it being announced so emphatically that we need not inquire on the railroad bill, that dinner was appointed at Battle Mountain—the capital of one of the rich Humboldt mining districts.

Now the scenery is monotonous: nothing but alkali plains and barren mountain sides to view. So we are presently compelled to turn our attention as narrators—as we did, in fact—as all travelers must do—to the signs and ceremonies of our fellow passengers. There is always something exceedingly interesting in a newly collected and company-enforced group of humanity; especially so, I take it, in the overland railroad car. There can be no observation and experience like this on any other road in the Union; nothing like an equal distance in railroad travel, with necessarily the same heterogeneous association. Here are from two to five days in one unbroken society on one railroad route.

as the Central Pacific route, across the mountains, "would never require such desperate plans to keep the track clear of snow." Now the Central Pacific R. R. has forty miles of snow-sheds.

How are *we* situated? There had hardly been an attempt to form acquaintances on the preceding day. Experiences must vastly differ, of course. The assortment of passengers is like the shaking of a kaleidoscope: never can settle alike—rarely assume places very much alike in habit and character under the eyes of the same observer. So there is novelty in it always. So it is proper to expect, on general principles, that each truthful description will have the characteristic and merit of originality.

The forenoon is mostly occupied with brief and futile attempts on our part to become interested in the text of the gratuitous gazette that is furnished travelers, or the wretched jumble of local descriptions in the only Guide that is permitted to be sold on the train—the admirable publication from the *Alta* office (which I subsequently borrowed) not being in the stock of the official magazine vendor. And then we looked out on the dreary flats until we were dazzled; and then we looked at every color and bradhead in the ceiling of our section; and then we repaid the personal scrutiny graciously bestowed on us by some of the passengers with an unimpeachable return of principal and interest. We were rather under the impression that we might become disgusted with railroad traveling, when we had the respite and recreation of dinner.

Our seats were resumed, and our note-books unfolded, and marked, and pocketed.

I have already drawn attention to the *father of the family* who sits directly before me. His broad back, when it is turned against my section, although he leans against the side of the window, projects by at least ten inches (I ciphered on that) outside, or inside, of the fixed division of the compartments. He belonged to that ample growth which is usually put down, for five feet eleven, at 240 pounds avoirdupois. His face—as I afterwards observed—was full, in good proportions; and aside from the specially pleased expression—a kind of smirk—which pertained to the commencement of the trip, and to which I have alluded, he evidently wore as a custom what is termed a “satisfied look.” Evidently a business man of the world, well-to-do; with a head on his shoulders that would have called for five or six of the choicest stereotyped encomiums of Prof. O. S. Fowler, and have set Dr. Barlow J. Smith in a transport of hydro-phreno-physiognomical ecstatic rhapsodies, concerning the polarized indications of the integrity of his stomach and the exhaustless secretive energy of his lights and liver.

Before you are tempted to criticise as unnecessarily full the notice of this man, permit me to state that he was on this occasion, with the exception of your humble servant, the only man of his nation who inhabited that car—containing, as it did, over twenty souls, and running through the very heart of America.

The apology comes in again. In such

travels we may naturally become meditative on such matters.

He belonged to that race which is now rapidly losing its original proportion in the Union, which in the Western States, it is admitted, is deserving of only one or two candidates on a city ticket—enough to catch a relatively insignificant and constantly diminishing vote. He was an American of Americans, with a sufficiently native descent to entitle him to the name in all its Yankee intensity! Let us interview him!

We find it easy to get into a conversation with the old gentleman, for his youngest children have deserted his knees and are entertaining each other in exclusive company, and his matron is deeply absorbed in what I know is a second-class story in the last number of the *Atlantic*. (I read the title on the top of the page turned toward me.) He has already vouchsafed several side-glances at me—more sociable than all his salutations; unmistakable signs of a disposition and desire for a good square talk. I venture the excessively stupid remark, “We are fairly on the way now.” The ancient, who has been sidling from his seat, so as to look past the rear of his partition out of the front window of my section, immediately changes his quarters and plants his huge person on my left, on the last back seat of the car. “Yes, yes,” he replies, in a most amiable tone of voice; “we have four days more, at least, and perhaps six, for our ride. Where do you go from Omaha?” An admission or suggestion that we might as well make full acquaintance; there was no escaping it. Then followed mutual explanations as to our courses from Omaha and Chicago. Both of us by the Rock Island road, but he by the Lake Shore and Michigan Southern and New York Central; I ticketed for the Michigan Central and Erie; he for Boston by the Massachusetts Western; I to New York.

“Well!” exclaims my almost venerable companion, who has been dubbed the “Ancient” by other passengers, “this is the first time that I have made a trip home since I came to California.” And without audible question from me—noticing, I suppose, an inquiry which was agreeable to him in my face, he proceeded: “I intended to go home eight years ago this spring, and had made my calculations accordingly. I had even gone so far as to buy the tickets for the family, when my wife was suddenly taken ill with the typhoid fever, and in less than a month she died.” Here the Ancient wiped the dust from his eyes with the corner of a monstrous silk handkerchief, which did my heart good to see—in the very midst of my proper sympathy. For I knew, I knew it was the handkerchief, the handkerchief of his sire, and had been brought forth to do substantial memorial services on this voyage, in place of the linen squares that since his youthful days have superceded those broad bandanas. I will state further that I identified it as a genuine heirloom article, by the unmistakable aroma of vanilla snuff-bean which it imparted

when gently shaken in the motion which I have just described.

"Her death," resumed the old gentleman, "broke up the plan for the home voyage that season, of course. I thought some of going the next year, and the next; but finally I resolved that I would 'wait for the wagon,' as the saying is, and take a ride in the cars when the railroad was completed. I sent part of my family to one of the Eastern seminaries two years ago. But the road has been completed these many years before my business arrangements admitted of my undertaking the passage. And so, you see, here I am with the three youngest of my five children, whom I have always kept with me."

I think I have noticed—and I say it with great respect—that you must receive about so much of personal intelligence from *paterfamilias*, on such an occasion as the one referred to, before the conversation can be permitted to take a general turn, with any freedom or evidently full satisfaction on the part of the elder.

Calling one of his two lads to him, with a great shout that sounded like the "Aye, aye" of a sailor, and pressing the tow-head of the youth of nine summers to his capacious bosom, and heaving a sigh both of sorrow and comfort, he dismissed his individual grief; and in direct and precise language commenced speaking of matters that concern us all, and in one form or another, in greater or less degree, legitimately belong to this and every other lecture on the THE OVERLAND TRIP. He spoke as a practical man, and as an honest citizen, of the origin, history, completion, and management of the Pacific Railroad—substantially as follows:

"I came to San Francisco in 1849—came across the Isthmus. We were talking all the way out concerning the feasibility of a railroad across the 'desert'—as the plains were then called. No one seemed to doubt the practicability of such a plan and work; but many thought the project would not be actually undertaken during this century. For my own part, while I reasoned that such a road would be constructed within fifty years, I could not imagine that I should live to take anything like the journey we are upon to-day. We pioneers in San Francisco thought it was an immense advance in traveling facilities when we had steamers every two weeks. Then the construction of the Panama Railroad almost made us doubt the necessity that would call for an overland railroad before the round year 1900. And always, in those early times, in thinking, or dreaming rather, of the transcontinental railroad, we looked for such a line of communication by one of the southern passes—never once imagining that we should have an iron highway by this middle and central latitude."

Then, turning sharply upon me, he said: "I presume that you yourself have been a resident long enough in California to remember when we got up the mammoth petition to Congress for the railroad, and were deceived

by a Presidential candidate's letter. And you must remember when we held meetings to organize a Pacific Railroad Society."

I gave my assent for testimony, with some qualifications as to the time of my residence in California. I said that I had reported several Pacific Railroad meetings, at which James A. McDougal, afterwards Senator—one of the brightest lights that ever shone upon this coast—and Gen. Lander, John Bidwell, Zach. Montgomery, Maj. Hammond, Judge Crockett, and Dr. Rabe spoke; and at which I could remember the attendance of almost every citizen of considerable prominence in the State—except the individuals who afterwards did incorporate under a Pacific Railroad title and begin the work of constructing the great highway.

"Well, then," pursued my companion, "you remember that all that was said and done in those days practically amounted to very little. You remember that the Pacific Railroad bills were deceitfully treated in Congress: if one managed to pass either House it was hacked and sliced in the other so as to prevent its ultimate enactment."

I had frequently heard Senator Broderick complain of this treatment.*

"There was a settled purpose, no doubt," he continued, "to prevent the passage of any bill, unless it was an extremely guarded charter for an extremely southern route. And besides, there undoubtedly were, all that time, many senators and representatives from all sections of the Union, who had conscientious misgivings as to the constitutionality of the law granting aid to such an enterprise—scruples about violating the Constitution having a *bona fide* existence in those days. I don't think—I may be wrong—but I don't think," pursued our friend, "that we should have the pleasure of this trip if it had not been for the outbreak of the Rebellion."

I remarked that that was the general belief.

He continued: "I suppose you are familiar with the inception of the enterprise, before the passage by Congress of the chartering bill? I did all that I could to stir up our folks in San Francisco to the importance of taking hold of the project; but they were dead as a door nail to any such venture. I insisted that

* Senator Broderick was speaking of the duplicity and treachery of his colleague, Senator Gwin. To-day, Dr. Gwin is in Washington as the agent of the Central Pacific Railroad monopoly; though professing disinterested concern for the people's rights, as against Tom Scott's subsidies, and all that sort of thing. Well, Dr. Gwin has as good right to claim championship for the people, as against railroad monopoly, as the *Bulletin* newspaper. His record puts the humor of his present pretense about on a par with the mouthings of the journals that were so long spoon-fed advocates for the railroad, and against the people. We would have had a rival Central Trans-Sierra Railroad—between Sacramento and Carson—years ago, if the Sacramento Union and San Francisco *Evening Bulletin* had not opposed.

there was little or no risk about it; that only a small percentage of the subscribed capital would be called for—as one of the liberally-endowing bills which were then sketched by leading Congressmen was certain of passage. But no! There was not any coaxing, much less any warning, that could avail. Our San Francisco merchants—and I must tell the truth in this respect, if I am accused of fouling my own nest—our San Francisco merchants have always been timid about investing in any enterprise whatever, beyond a hazard on their own commissions. And they lived for fifteen years—the most of them—thinking that San Francisco never would have any large wholesale business outside of the streets from Battery to the Front, and Market to Vallejo. So the Sacramento gentlemen, who yet, with a single exception, retain their relative interests of ten years ago in this immense corporation, then procured the control of the enterprise. So far as that is concerned—speaking in no other connection—they deserve their franchise. For they begged us of San Francisco to join in the undertaking, and we would not. Or, to state it more exactly, those of us who would have gladly joined the present Central Pacific Railroad owners in 1861, waited for the general spirit of co-operation—which never came—until it was too late. The Sacramento folks discovered the height, and depth, and length, and breadth of their good thing before the few business men in San Francisco with whom I was associated in spirit and effort on the subject—discovering that we could not get up any large partnership in the matter—concluded that we would offer what little aid and venture we had in such a direction. I say that we were too late; and I always want to have it understood that I do not begrudge these gentlemen who did inaugurate the enterprise one dollar of their enormous wealth resulting from the building and the running of the road—not a dollar! But, skipping over much of the history of the road, of legislation in regard to it, with which you are doubtless familiar, I must say that it is too bad that the road which has been constructed by the money of the nation—and for the construction of which the people are now paying, and for many years to come will continue to pay, interest on over forty millions of bonds—should be run with extortionate rates of fare. I believe that, at the average rates of tariff on Eastern roads, which have been constructed entirely by private capital, the cost of a first-class passage from San Francisco to New York would not be over \$80 in gold. And here we are paying \$140 in currency. It is outrageous. And moreover, the original Pacific Railroad law of Congress provides that the rates of fare may be reduced by that body when the revenue exceeds ten per cent. on the capital stock. And furthermore, I think the law expressly provides for general or special amendments, purely at the option of Congress. And if the companies have inflated their stock, a searching investigation

should disclose the fact. I tell you, as a Republican, an old Republican, that I think the stealings of Tammany are light offenses, compared with corporation robberies under which we have submitted, and now submit, in California.*

"The lower house of Congress, three or four years ago, did pass a bill or resolution providing for a reduction of rates on this road to one-half the present local tariff that is marked for this [the eastern] side of Sacramento; when one of the United States Senators from Nevada took the resolution as it came from the House and put it in his pocket—he being a member of the Pacific Railroad Committee in the United States Senate; and he kept that resolution in his pocket until it was too late in the session for the Senate to act upon it. And since that crime against his constituents, and against the people of the whole nation, that Senator has been re-elected to the United States Senate for the term of six years, mainly—it is notorious—by the aid of the money and influence of the Central Pacific Railroad; a notorious fact in his State."†

The old gentleman had increased his rate of speech as he mounted to this climax of indignant rehearsal; and now he pushed back his high-crowned cap, and with his precious bandana wiped the perspiration of wrathful heat from his noble brow!

"Why,"—returning, after a pause, to this gloomy review—"Why, they have cut us off from much of the trade we had with Nevada before the road was completed. And they have thrown all the trade of Utah into the lap of Chicago. Their through rates are bad enough; but their local way tariff is most outrageous. The mass of merchants in San Francisco, without reason, are crying out in chorus with our newspapers—some of which were the organs, as others will be, of the monopoly; some of which are afraid to speak a square word as to the real cause of our business woe, although they are conscious of the fact. Certainly this is a road on which cheap tariffs should be the rule and characteristic. It should, in justice and fact, be known as the cheapest-tariffed road in the United States. The people's money built it. Our people are to-day paying a tremendous interest on the railroad company's bonds. We have built up a corporation that has indeed no soul; no gratitude, no sense of justice; apparently incapable of being satisfied with the most magnificent contributions ever given by a free people, for so small a consideration, to an organized body of business men. That corporation is reaching out

* See Appendix A.

† Yes: and not until after his re-election did the *Sacramento Union* or *Evening Bulletin* or *Morning Call* have a word of criticism on his course. All is: the people must champion themselves; and least of all lean upon the "purity journals" of the Pacific Coast.

its hands for monopoly in many departments of trade. And I don't know"—here the old man lowered his voice, and his tones became somewhat tremulous—"I don't know but corporation rule will so far extend and combine as to result in the overthrow of the Republic, at no distant day. Sometimes I wonder what we shall do by way of a justifiable and successful rebellion. I wonder if Providence will come to our aid, and put it into the brains of some Yankee or Frenchman to devise a successful mode of navigating the air?"

"Just think of it!" broke forth the old gentleman, after a brief silence; "just think of it! On account of the action of a faithless Senator, whose agency was suborned by this company, we are paying on our way traffic, east of Sacramento, from \$1.50 to \$2.00, when we ought not to pay over \$1.00. And that faithless Senator has been acknowledged to be in the front rank of the Republican party delegation in the Federal legislation from the Pacific Coast; and is one of the recognized leaders of the Republican party in the Union. It does seem almost incredible. Why it is only the other day that I somewhere read about that Senator's being introduced to a public audience in the East, in a eulogy which set him out as a model for young men! How strange it is that the facts of which I have told you are so successfully covered up or ignored. Common people can't believe them on one recital; it seems incredible that any public man and representative should dare to be such a traitor to the people. But pshaw! these fellows don't care anything about the people. They expect to have their office bought for them every election. It seems strange that the people are so blind. They realize their oppression, but for more than half the time they do not realize their oppressor. The tyrant monopoly calls for more, more, and more, and fainter and fainter are the protests of our journals; more and more they search for excuses for extortion; gradually they are all coming, with a single noted exception, into absolute lackey service for the railroad Dahomeys." And my companion ceased from his declamation—fell into the land of silence; from which he did not rise, nor was he disturbed, until there was a great tumult in the centre of the car, and an unusually loud emphasis on the Bavarian demand for *luncheon*, in the shape of a baby who had fallen from an extemporized crib.*

It is an abrupt and yet not an unnatural transition to "Lunches."

I have been asked the question a score of times on either side: Do you advise the transporting of "lunches," and if so, with what kind of provisions would you stock your hampers? I recommend all persons to depend for their victualing upon the wayside inns. The appointed hours for taking regular meals are properly set, and the time allotted (twenty-five minutes) is abundant for a satisfactory repast; and from the food supplied you can select a palatable and relishy course. I did not hear a complaint at any of the eating stations as to the quality or quantity of food placed on the tables; but the coffee and tea have much to answer for, in the form of uncouth expletives, promiscuously embalmed and thrown from the platforms and car windows. And touching this matter, our already voluminously quoted authority should be heard, as he sagaciously remarks: "Now that the war in Europe is over, I wish that the railroad companies—who either own or percent these eating-houses on their respective lines—would import a couple dozen of French cooks for their stations, that passengers might have the luxury of a good cup of coffee at breakfast time." It is indeed singular that with all the needed materials, of the best quality, there's not a good cup of coffee to be obtained at any of the depots from Sacramento to Omaha. Indeed, I don't think you will be satisfied with the flavor of the decoction offered under the beloved name until you arrive at Chicago. As for the *tea* that is dispensed along the route, it is most suggestive of a cauldron into which well-worn boot and shoe uppers are thrown and thoroughly stewed for the space of twelve hours. Of course

them without great loss of patronage. So the alternative came, of more pay from the coffers of the railroad company, or change of front on the subsidy question, etc. The railroad company would not increase their former appropriation or patronage for the complaining managers of daily journals. Hence we have at this date the most emphatic denunciations of the outrageous tariff of the railroad company, etc., by the same journals in which we were accustomed to see defense, and apology, and eulogy for Stanford & Co.—*ad nauseam*. And since the delivery of this lecture, at least one daily journal has been started in this State from which a consistent advocacy of the rights of the people, as against the railroad monopoly, has been had and may be expected. But for a long time after the people were first made to feel the iron hand of the railroad magnates, the majority of the managers of "the press" in San Francisco were ready pensioners on the bounty of the railroad treasury. This is so well understood at this writing that I would weary a California reader by enumerating instances or giving illustrations. Some of the newspaper hirelings of the railroad company now claim credit as "friends of the people," in the campaigns for a reduction of fares and freights! And resort is had to all sorts of tricks to cover up the record which tells of their stipendiary connection with the monopoly in former days.

* Since this lecture was delivered, there have been some changes in the relations of the daily papers of San Francisco with the Central Pacific Railroad Company. The *Examiner* never was in the pay of the monopoly. The managers of other papers that once contributed all their influence in behalf of the monopoly have discovered that the "rising public sentiment" for disenthraling legislation on the railroad company's extortions could not be braved by

the regular grog drinker, whose morning potation is conveniently carried in a flask and demijohn, will regard these remarks as superfluous. It is safe to estimate that enough of value in liquor has been consumed on the Pacific railroads since their completion, by the passenger patrons, to have built 1,000 miles of the road on the plains.

Our naval friend was wise in providing an Old Dominion coffee pot, with proper alcoholic fixtures, by means of which for his family and favored and grateful friends he did produce a fragrant and luscious beverage, which cheered but not inebriated. My salutation for him, and my involved advice to you.

"Lunches!" There was no need for the memory-helping page of record on this topic. During the first day out from San Francisco there were so many stations, so many general and special outside attractions for the young and the elderly, that the ordinary times for eating and drinking appeared to suffice. But on this second day, on the wild alkali moor, and henceforth unto Ogden, pardon me for declaring that it seemed as if there had been a famine in Israel, and our train was just coming up out of Egypt with nourishment for the babes. The ladies' anteroom of the rotunda was stocked on one side with immense baskets, from whose upper invoices or cavernous depths, every few minutes, sandwiches, cordial bottles, sponge and pound cake, dried tongue, salmon balls, sassafras drops, cinnamon jumbles, palm leaf hard tack, English walnuts, Bologna beef sausages, desiccated codfish, macaroni crust tarts, etc., were extracted by two adopted citizens—family men of the party—alternately relieving each other in this laborious stewardship; the intervals between excursions to the front and the renewal of stavedore work on these wicker ration-holds being not above fifteen minutes at any one time, from rosy morn to dewy eve. The unproductive nature of the ground beheld in the panorama from the window—beyond the narrow rim of the river—inclined us, at certain moments of dramatic abstraction and forgetfulness, to question whether there was any more a harvest for the children of men; but a glance before us, in the interior of our car, was sufficient to reassure us that we had been where the earth gives her increase, and the baker and the butcher and the candy-stick maker compound in their troughs and cook in their ovens and kettles, that the five-and-ten-per-cents-per-month-compounded-monthly, and their sweet bantlings, may not go back starving to their ancient kindred.

We are approaching the Palisades. I can not but think that these "freaks of nature" have but too slight a consideration in the published scenic estimate of the route. I would like to place it as an invoking of other, subsequent, and, than hitherto, clearer observation and judgment: that, with three exceptions, the High Ridge and Peak views in the Sierras and the Rocky Mountains, as well as the cañon walls of Weber and Echo, are far less worthy of the pencil of the artist than

the sheer battlements of the Palisades. Indeed, I am convinced that you will be agreeably disappointed on first sight by the magnitude of these scenes and their vista beauty, and you will regret that the skill of the wood-engraver has not been brought into neater requisition—in hinting of the character of the scenery—in the guide-book that is sold and the gazette that is presented to the passenger. They justify their baptism, as spectacles fit to be compared with the greatly admired casings of the majestic Hudson, a short distance above the metropolis. And here you regret, despite the dustiness of the way, that an observation car is not attached, in order that the full grandeur of the retrospect may be comprehended.

Here is the little river of the desert—making glad and fertile a thin strip of territory—winding in and out through the valley or gorge, from whose edges the basaltic rock seems to spring sharply up, a distance of from 600 to 1,500 feet. Now the walls pinch the stream until it deepens and flows sluggishly like a canal, yet pellucid as the fountain; and the railroad bed is cut out from what constitutes directly the lofty and almost perpendicular banks. Now the iron horse bounds from between the jaws of the divided quarry into picturesque glens, whose green, velvety carpeting seems to fairly bathe the smarting eye with its rich and balmy color. Now there is a vision and noise of the water dashing over the pebbles in its rapid descent; now there is the same quickness of motion in the river's channel—the stream glides with swift, steady, and uniform, but pulseless volume, in its haste to the thirstier plain. Narrow throats of feldspar and porphyry, enclosing bosom-fields of verdure and fruitfulness!

Now the scarp of volcanic stone is thrown over the shoulder of the high hillside—there being a noticeable sloping of the summit. Now the boundary is clear, the valley is a chasm—the fully rounded wall in the sudden curve of the river's cutting resembles a smooth, solid, Doric column—ruined at the top; now it is a fluted pillar of Ionic pattern, with a broken architrave, which yet retains signs of former beauty; and now there appears a perfect colonnade, with architrave and chapter—the crowning blocks wearing even to the unimaginative gaze the carved vine, and leaf, and olive, and pomegranate of the Corinthian and composite handiwork.

And as we look with all eagerness to take and fasten so much of the wonderful picture as we can gather and hold in the fleeting minutes that are given for the sight, lo! the setting sun catches up the hue of the little clover islands that have just been passed, and fires the upspringing angles of the cliffs which face the west, and the mossy edges of projecting sculpture, with the blended crimson and emerald which it bears, and flings, and frescoes in such delicious loveliness only in this roofless labyrinth-temple of nature!

We pass the eastern end of the Palisades proper; roll out into larger valleys, whose

mountain and hill borders are of the most homely character; we pass the foundries and machine-shops of Carlin; and with an extraordinarily prolonged shriek from the locomotive, we hail, and draw up alongside the supper depot, called Elko Station—in a landlordly sense presided over by the famous Treat.

At least to those who have not sated their appetites with hamper stores, the conductor's announcement—twenty-five minutes for supper—and the confirming clangor of the bell, are decidedly gratifying. And from the enthusiastic scenic delights of the way just traveled—from the romance, if you please, of the rough rock galleries—human nature readily settles down to the anticipation and immediately following enjoyment of the carnal pleasures of the palate. Nowise diminished in desire for or appreciation of the table bounties—but the rather, on this occasion, enhanced—by the sight of one excluding circle of chairs—a dozen, perhaps—appropriated by the sires and mothers and sons and daughters of Munich; who sweep the breadplates and *entree* platters, and scoop out the capacious glass fruit bowls, and then, after regular courses of meats and puddings, are finally rescued from a faint, because famishing, condition—by the administration of double pint doses of boiled green tea, sweetened with brown and crushed sugar, and treacle and honey, and “dressed” with a luscious compound of milk, butter, and oil. Let us proceed.

As we jump upon the steps of the car, our attention is directed to the land agent of the Central Pacific Company, from whom the town lots at the various stations were purchased—under promises of foundry and machine shop importance for each place—for which promises the corporation cannot be held either legally or morally responsible! As the work on the road progressed, as the rails were extended, new towns of considerable vigor sprang up, of course, as temporary terminus depots. The selected spot was duly surveyed by the company long in advance of the arrival of the locomotive; and when the first train did reach the respective depots there was an auction sale of the valuable building yards and grocery store corners. This, that, and the other station—beyond, and beyond, and still beyond—were the places where great car-repair works were to be erected. This little manipulation drew a very handsome revenue into the company's treasury, over and above what would have been received in a regular course of legitimate and honest dealing; and the station land agent made a comfortable fortune out of his percentage on extra sums paid on the score of his “authentic” but unauthenticated representations and promises of the future glory and real estate richness of the rapidly superseded rag towns.

We move from Elko on a very sinuous course. The road often describes a tremendous arch, which the most unsophisticated is able to detect and deride—if not anathematize

—as wholly unnecessary, either for the grade or to avoid the chances of freshets; which the most unsuspecting will readily and inevitably cipher out as a first location for the purpose of extracting more bonds for more miles from the United States Treasury. So palpable is this imposition that it is voluntarily confessed by employees on the road, with whom passengers come in intimate contact—and who should not be named, lest they be discharged—that no person of intelligence has ever been known to pass over this section for the first time, looking out of the window, without commenting upon the fraud in the eccentric elliptics of the eastern Palisades. Knowing, at this point, that the Union Pacific could not be rivaled beyond Promontory, the advantages here presented for maunifolding distances were improved to the limit of the law. What connects these remarks directly and absolutely in a lecture on The Overland Trip, addressed to past and prospective patrons of the road, is this: Why are these many needless miles added to a sufficiently lengthy and tedious passage, at the best? If the rail-car is an immense improvement over the steamship, the people who paid for this road originally, and over and over again, are entitled to every particle of the benefit in its extreme possibility.

You will observe on the map what an immense northing the adopted route of the Central Pacific Railroad makes from the eastern foot-hills of the Sierras. Up to this point, where we are supposed to be traveling, it has been contended that it was altogether advantageous to raise the compass of the route. But from the particular section designated, at which we are supposed to have arrived on our journey toward the East, there is no sort of excuse for the continued ascent. The fact is, the Central Pacific Railroad Company thought that the Union Pacific intended (and had the means for such purpose) to push from Promontory toward Oregon, so as to control, if not absolutely to reach and touch, the trade from that State, as well as the intervening Territories.

If the Central Pacific had adopted the proper route, to the south of the Great Salt Lake, fully seventy-five miles of travel would have been saved—over three hours as the trains now run; and the road would have passed through the richest developed mineral district of Utah; besides striking Salt Lake inevitably in advance of the Union Pacific, and seizing the market there for San Francisco merchants, in spite of all opposing effort.

Capt. D. B. Stover—formerly and for four years U. S. Quartermaster at Camp Douglas, near Salt Lake City—thoroughly familiar with all this section of country, frequently appealed to the president and other officers of the Central Pacific Railroad Company with the statement of facts I have detailed. And the truth of his statements was not denied, but was expressly admitted; but the fear that the Union Pacific would reach for and capture the upper country trade was the avowed

reason for the violation of the Pacific Railroad law of Congress—under which the Central Pacific might be compelled to surrender its State charter to-day. The national railroad law provides that the road shall be on the shortest practicable route. Capt. Stover declares that any person of common sense is competent to declare the superiority of the southern route indicated—a dead level from the point last named to Salt Lake City—seventy-five miles in distance and three or four hours in time saved—as competent as the most expert civil engineer that ever drafted an acceptable profile for a tortuous mountain railway.

And now we may mention that in addition to the reason assigned by our traveling companion for the loss of the Utah trade on the part of the San Francisco merchants, and in precedence of his reason, which referred to high rates of fare only, is the fact of the company's disregard of the law of Congress and of the law of nature in the grading of this roadway from the Palisade Mountains to the north of Great Salt Lake—a very inflection to the eye as it glances at the pocket map distributed by the corporation, and, of course, made least indicative of the outrageous variation from the statutory and geographical truth and propriety of the route. But more money in bonds, and more land in coverture. And there is the sanction of the Railroad Commissioners; and the Congressmen from this coast have been silent upon this subject!

Our attention is drawn, even before we reach the Palisades, to the embankments which the Union Pacific Company threw up not far from the adopted line of the Central, in hope and expectation of making at least three hundred miles more westing than they did before the junction of the rails. And from Elko to Wells Station, a distance of fifty-five miles, the sections of useless grading are frequent, and sometimes heavy.

At the latter station our fatherly companion takes out his memorandum book, and writes in a bold hand what he utters with a loud voice—that there may be no concealment this time: "At Wells Station, May —. Commenced taking down bunks for the children. All well; and the boys uproariously happy."

Within an hour we were all in bed, with the exception of two gentlemen from Munich, who went into the rear rotunda at seven o'clock, and remained there, smoking, and drinking ale, and eating Limburger cheese and crackers, until seven minutes past ten—the not unpleasant fumes of their genuine Havanas reaching and regaling our nostrils, despite their leeward position; attended or alternated by the pungent aroma of their Schweizer kasee—concerning the salubrious enjoyableness of which there yet contumaciously remain in this country some lingering diversities of private sentiment. The precise time of the retiring of the gentlemen was called out in that soft accent which bewitched General Scott, and provoked my associate,

the elderly companion and American, to exclaim, as if broken from his rest, "O, Heavens!"—giving several abems afterwards, so as to prevent any one from suspecting the real character or cause of his ejaculation.

For fully half an hour after all on board were bunked, guttural snatches or remnants of a huckster conversation, carried on at intervals between the last of the retirers, came to our ears, but did not disturb our half-awake repose. I opened the window at the foot of my bunk, and bolstering up my head at an angle of forty-five degrees, I had a full and comfortable view of the passing country; for it seemed to be in motion, as I lay in a half-asleep mental condition looking out upon it. The shrubs assumed all sorts of fantastic forms in the moonlight. (I speak of these things, and similar matters, to give you an insight into ordinary sleeping-car life.)

The last thing that I remember with any distinctness as belonging to this night, before I fell absolutely into the arms of Morpheus, was the impression that the two gentlemen from Munich were under arrest: apprehended by the officers of the train, on a charge of being in a conspiracy to gather up all the sage-brush on the railroad company's sections—as well as on the rest of the territory or basin bearing the same herb—for the purpose of concentrating its juices in a monopoly manufacture of an infallible hair-wash, the patent for which they had secured in San Francisco, by a deposit on a bond for the patentee's deed. From that time, so far as I am aware, we all slept until about 3:30 in the morning, when the entire company was aroused by a scream of calamity.

We discovered that we were stopping at Promontory—the original junction of the two roads—and probably made more familiar than any other point beyond the summit of the Sierras, to every Californian who takes the papers.

There was a large gathering in front of our sleeping-car windows; but the crowd proved to be, for the most part, employees of the railway corporation, enjoying a confab after their early morning meal in the restaurant of the depot.

But the alarm which shook us from our sleep proceeded from five (or more) youthful descendants of seventeen succeeding generations of insufficiently nourished forefathers, who were improving advantage of their day and the pawnbroking prosperity of their immediate progenitors,—to take revenge for the unrelieved gnawings of a long line of noble ancestry. The simultaneously sounded screech was, "Aint you never going to give none of us nothing to eat?" Piercing our auricular organs with their hungry negatives, strung on the sharps of the first octave; and thrilling to the very heart's core, at least, two matronly dames, who responsive yelled, "Abraham!" "Jacob!" "Will you let those children die for want of a little food?" Forthwith there were protruded from two adja-

cent bunks the pedal extremities of two gentlemen, four and a half by three; who, on their own individual account, and moved thereto, evidently, by their own misery or perturbed spirits, begged their fraus, in polite but plain Dutch, to "shut up;" then rushed for the hamper cabin, and swinging in about ten pounds of fruit cake, told the babes to "fill up." Everybody obeyed, and all was serene again as we rolled out of Promontory. But I heard a voice from the bunk above me say, and say distinctly thrice: "Oh heavens! Oh heavens! Oh heavens!" My friends, that old gentleman dry-coughed for half an hour after this invocation, so as to utterly and forever bury the significance of his groaning appeal. But he did not fool me! He did not cheat me out of the binding validity and indescribable satisfaction of my "Amen!"

From Corrinne, at which point communication is had with the Great Salt Lake, by Bear River, the soil on the railroad line to the southeast regularly improves; as the sod, cereals, and vegetables plainly testify to the passenger. The ride of an hour and a quarter from Corrinne to Ogden, down the Mormon Valley, between five and six o'clock on this lovely May morning, was charming; and demands in one form or another, from all who had the pleasure of the passage, an expression of grateful recollections, and a much more extended description and eulogizing comment than I can now be permitted to give.

My comrade and I agreed to take a trip through the train, and interview some of our fellow passengers in the other cars. In our interior travels we were not surprised to hear, from among those who had not visited this locality before, a general expression of curiosity to see the first veritable, proved-up Mormon that came in sight, and to converse with one or more of the species before we quitted the Territory. I shall not surprise you, and I may be pardoned, when I state that this special anxiety was a prevailing malady with the ladies. A mantua-maker and milliner, who was located in the sleeping-car which we first passed, and whose many handboxes—apparently containing the lightest materials—were freighted, the colored porter said, with argentiferous galena, or its equivalent in dead weight, announced, as we prudently hastened by, that she shouldn't wonder if she could make her passage by stopping over at Ogden and selling goods to some of the women there;—she had understood that the Mormon women were very fond of feathers and ribbons. We managed to work our way through the crowd of charitably disposed ladies and gentlemen who rushed toward this dame with disinterested speeches of encouragement, for her un-balling idea.

While we were in the car immediately in advance of our own, chatting with a navy surgeon who hailed a welcome, the train drew up at "Brigham," (fity named for this occasion); and presently a gossippy male spy—who had been watching on the platform of

this car for the purpose of making the first personal inquiry indicated, at each depot—came running in with the authentic information that the large, broad-shouldered old chap, standing not afar off, "dressed in a soldier's overcoat and a beaver cap," as the description was given, was a genuine Mormon! the sole and undisputed proprietor of "seven wives and thirty odd children." So the conductor had informed "Limber Jim," as the volunteer messenger was generally called; and he had, on the instant, procured an introduction, and put the straight question to the veteran himself, who, in nowise abashed, had frankly and proudly confirmed the soft impeachment. Just then the great object of interest moved up directly to the section of the platform beside the window from which we were looking, and dropping the butt of his ox-goad stick on the plank, stood at rest, and returned the stares with which he was greeted with refreshing satisfaction: as much as to say, "Look at me, strangers, and take your fill. I'm a specimen of the real animal!" And we gazed. One young lady, two seats ahead, with a self-contradictory countenance—a vinegar, but, at the same time, most unmotherly aspect—made the usual remark, to be expected at such a time and from such a dread source: "He ought to have his eyes scratched out." "O, no," chimed in half a dozen married men, in a tone of voice unaffectedly sympathetic, "the poor old fellow ought to have all his eyes and wits about him." These commonplaces passing, and half a minute more of silent inspection, the spry young man rushed to the car platform, jumped off, and brought forward the ancient disciple of Joe Smith—directly up to the car windows from which our temporary associates and ourselves were looking. "Mr. Butler" was introduced all around—as well as the circumstance of changing heads and hands at the car window would allow. I noticed at once the decidedly vigorous hand-shake which he gave to the spinster, accounted for subsequently, as some suspected it would be, by the development of a "job" "put up" by "Limber Jim."

"Mr. Butler!" He was asked immediately, by at least a dozen voices, if he was any relation to Ben Butler? He denied, and then added: "Well, I guess I've been asked that question more'n twenty times. What hev you all got ag'in Ben? Ben ain't any worse than the rest of 'em." If he was to be charged with the kinship, he was not going to be a party to contempt or dislike toward the General. "Good for the old man's spunk," said the surgeon; and we all added or interjected something of an applauding character,—except the spinster, whose cold, glittering eye was fixed and fastened on the grizzly-bearded polygamist with an expression of intensity that was at times alarming, and that was more particularly interpreted when the whistle blew, the bell rang, and the train began to move along. Then she darted out her too long-suppressed inquiry-direct:

"Is it true that you have seven wives and thirty children?" "That's jest so, ma'am," said Mr. Butler, walking quickly up to the spinster's window, and putting his commodious countenance on even terms with the outer sash; "that's jest so—thirty-three children. And as pert a set of young 'uns down to the River Side House as you'd want to see. You jest stop over the next time you come this way, and I'll show you as smart a row of red-headed boys as you've laid your eyes on. Come round about 'lection time, and stop over and vote!" And as the train pulled ahead of Mr. Butler's trotting, he was heard to exclaim, in intermittent syllables, while his face appeared to flush and broaden by an inch of out-wrinkling grin, "I guess I've sot up with that old gal so she won't be in such a pucker about our folks;"—telling Limber Jim—who shouted the final question from the car steps: "I'm from Varmount. I've got 400 acres of medder land and pasture, and thirty cows. Three more young 'uns than I've got cows—ha! ha!"

A Gentile from the city who passes through at this moment volunteers the valuable and pleasing information that we have met the most communicative Mormon in Utah; and that if his powers of entertainment were generally known, he'd be taken up regularly every week and paid for his company-trip through the valley by Californians able to indulge in such a luxury. I believe so.

The fields grow greener, the corn and potato patches more numerous and thrifty; the valley widens, and then contracts, and then widens again; the Salt Lake breeze grows fresher; the evidences of the competing and unavailing embankment labor of the Central Pacific Railroad Company* grow less painful as we approach the grand junction point, the city of Ogden; at which place we arrive on time—ten minutes past six o'clock. There is no difficulty, or little danger of failure, in reaching the stations of the Central Pacific Railroad on the schedule index, for the regular running rates on the plains do not exceed twenty-two miles an hour.

We are to remain an hour and a half at Ogden—which we expected to find a thriving, bustling place of eight thousand inhabitants; so gazetted. The village of three thousand people is a sort of hybrid concern—evidently about half-and-half in Gentile and Mormon population.

Here we change from Sacramento to Laramie time, with change of cars; so that the time-discrepancy in the tables of the road are really over an hour less than the figures would indicate.

From this point departs the Utah Central Railroad train—to Salt Lake, a distance of thirty miles—at a moment decided by the swing of the clock in Brigham Young's

office. Watch-keys are brought into profuse requisition, and wagers are made on the true time, like the challenges of knights on the gold and silver-faced shield at the cross-roads; the countenances of the infallible regulators calling each other liars from opposite sides of the same room; and the engineers, in cool conversation, referring to their table of distances and expectation of making so many miles, in a way that literally interpreted would imply an attempt of the railroad folks to pass another train on the same track.

Our Bavarian fellow-passengers, having screwed their great gold chronometers back and forwards several times, until all the people round about have been attracted to gaze upon the magnificent, seven-jewelled dead-beats, are installed in the double state-room of the drawing-room and sleeping-car; having ordered their renting for the trip by telegram sent by the colored watchman from Promontory; the interest of the latter in the engagement being stimulated by an offer of \$2.50 in gold from my elderly companion, conditioned on the success of the application. "Let us help them to get a separate house," was his suggestion and basis of outside generosity.

In the same car, in the open quarter, we have a lounge section secured, in which our next two days of travel are more pleasantly spent. Indeed, accommodations of almost every character, for the traveler, regularly improve as you advance to the East; a fact which renders the old-homeward bound trip, in point of immediate comfort, the preferable journey.

An uncovered observation car is drawn from Ogden to Wahsatch. In this, a large number of passengers seated themselves, before the starting of the train. The conductor made several polite, then very earnest—bordering on command—petitions to these outsiders to take their places for the first mile in the car saloons, that he might examine and nip the tickets without danger of their being blown overboard. He did not succeed in moving an individual until the Assistant Superintendent ordered the "Observation" uncoupled, and so deceived a widow lady and a small boy.

We shall give but a rapid glance at the route hence to Omaha. Through the valley at the mouth of which Ogden is situated, past several hamlets containing a dozen huts, more or less—they are not worthy the name of houses—we swing through the Devil's Gate,—12½ miles from Ogden. Thence through the Weber Cañon proper, past the 1,000-mile tree—one thousand miles from Omaha—the valley widening and again contracting, with increasingly beautiful scenery, until Echo City is reached—39 miles from Ogden. Then through Echo Cañon; with exclamation points for the verbatim short-hand report of most of the conversation heard and endorsed;—past Pulpit and Monument Rocks, whose names indicate their character in con-

*While the U. F. R. R. Co. were grading on sections west of Promontory, the Central Pacific Co. were doing over-capping work between Promontory and Ogden.

formation, and whose connected legends are used successfully as lunch periods by the Bavarian nurse girl. Past the Mormon Fortifications, Dead Man's Rock, patches of the old emigrant road, Hanging Rock, and Castle Rock, and safely arriving at Wahsatch, where the state-room swarmed—for dinner. Leaving Ogden at half-past eight and arriving at Wahsatch at half-past-twelve. The drive through those cañons—it seems like a buggy ride when seated in the open car—up the grade from Ogden to Wahsatch, is a four hours' enchantment that is unsurpassed, if it is equalled, by the choicest series of scenes on the Erie or Pennsylvania Central. Nor is there a lack of probable and positive associations that deepen the interest of the American in the passage. To some of our passengers there was a great store of memory. Several young men on board came across the plains when they were little children; and their narrations of hardships undergone at such and such places, more or less remote from this section of the road, and the joy which they and their parents experienced at this or that point when they struck the trail that led directly into one of these cañons—with innumerable side incidents—were of absorbing interest to the listener.

As the navy surgeon—now with his wife and precious baby over his side-and-side companions—remarked: "It don't make any difference whether their yarns are true in every particular or not—they spin good on the home-stretch."

Our observation-car and our second engine are dropped at this elevation—nearly 2,000 feet having been gained inside of seventy miles.

The first of the snow-fences and snow-sheds on the Union Pacific are passed within a few miles east of Wahsatch. They are slight shingle and stave affairs; but it is to be presumed that they are sufficient for their place. Our route now leads over what is appropriately termed "undulating table land"; a phrase that defines the greater portion of the passage over the Rocky Mountains.

At Evanstown, eleven miles east of Wahsatch, 6,835 feet above the level of the sea, are found the richest coal-beds on the line. Some of these veins are from twenty to twenty-six feet in width. The other coal stations on the Union Pacific are at Point of Rocks, Salt Wells, Rock Springs, Black Buttes, Carbon, and Rock Creek.

At about thirty-eight miles east of Evanstown we reach the station named Leroy, where we are 7,123 feet above the level of the sea, or 106 feet higher than the railroad summit in the Sierra Nevadas. From that point the grade is descending to the east until Green River is reached, a distance of eighty-three miles—passing Carter, Fort Bridger, Church Buttes, and Bryan.

At Bryan we had, notably, the best meal on the route—a supper that would be considered worth the money asked if served in the city of San Francisco.

We pass seven stations in the night, including Black Buttes, Bitter Creek, Creston—once supposed to be a crest of the Rocky Mountains—and Rawlins.

We are aroused from a remarkably refreshing sleep at five o'clock, while at a station called Medicine Bow. The soil has gradually become poorer since we left Echo, and now it is only a trifle better in appearance than that which lies on the summit of Livermore Pass in the driest season.

Passing Como (where we see no lake, but have a grand view of Laramie Peak), and Rock Creek, and Whisky Creek, and Wyoming Station, we reach Laramie and breakfast. Here is a railroad hotel, two stories high, two hundred by forty feet. And here is a "city" of 900 inhabitants, three churches, three large stores, one bank, and one daily newspaper; and here it was at an elevation of 7,123 feet above the level of the sea, that the first female jury was duly and legally impaneled.

Twenty-four miles from Laramie and we are at Sherman: the highest point on the Union Pacific Railroad—an elevation of 8,242 feet. There is a small settlement here, of probably fifty persons; the working portion, of course, depending on the railroad company for employment and livelihood. A little, ragged dressed, three-year-old girl is stationed behind an extemporized counter, at one side of the depot, as a vendor of shells found on the summit, and a peculiar kind of cactus which grows in that vicinity. There is a large patronage; and four of the oyster can pots of cactus are among the first purchases made for the state-room, under the impression that they are something good for food. The discovery of the delusion caused a tumult of disgust, which, amid the roar of resumed travel, sent its echoes through two car partitions to the nervous sensibilities of our elder companion, who started to say "Good heavens!"—checked himself, and exposed absolutely his vexation and infirmity by the inadvertent, audible exclamation: "I am glad I didn't, then!"

There are fine views of Pike's Peak, and Elk Mountain from this elevation—the broadest and most distant view on the Union Pacific being afforded to the passenger between Granite Cañon and Cheyenne.

We arrive at Cheyenne at a quarter past two o'clock in the afternoon. It is blowing a gale at Cheyenne. The standing joke on the part of the inhabitants, in conversation with railroad passengers, is to be noted thus: "Yes, it is blowing pretty hard; fact is, it has been blowing here for the last ten days."—No passenger has ever recorded a calm for Cheyenne.

Here is the junction of the Union Pacific and Kansas Pacific, and the connecting and meeting trains, on this day, all roll into the station together. Here we are, 1,398 miles from San Francisco, and 516 miles from Omaha, the elevation being 6,041 feet above the level of the sea, and 5,075 feet above Omaha.

Although higher by a hundred feet than the town of Cisco, your impressions are, from its appearance and the experiences of your ride, that it is absolutely at the foot of the mountains; you cannot rid yourself of the conviction that it is on the Missouri River level at this latitude. In fact, I must repeat, this whole Rocky Mountain Pass is but a succession of gradually sloping table lands.

From this point the soil begins to exhibit a fruitful power—the ever-increasing condition until the Missouri banks are reached. There is a monotony of landscape, yet always pleasing, from Cheyenne to the East. The afternoon ride is greatly enjoyed; beholding the fresh green earth, hurrahing over the solitary buffalo that tumblingly gallops in sight—a northern wanderer from his herd;—and in taking graciously permitted turns in tending the army surgeon's baby: the happiest boy of six months—blessed with the proudest little Scotch mother—that ever glorified a Pullman drawing room with his crowing presence.

We are at Grand Island for breakfast. We are on the eastern side of the Rocky Mountains, sure enough; for here are the first impressive signs of that fact: lightning-rods—which have an inconceivably odd appearance to our California vision.

We halt at Fremont for dinner. At this place we have a little conversation with a veteran farmer, who brags of three crops of clover in the year, and tells us, without any indication of weariness in his eye, of wheat and corn crops from the same fields for nine successive years, increasing in production every year, in irregular but certain measurement. We are in what may be termed the limits of the thickly settled West; but there is room for this entertaining farmer in the regions beyond.

Three o'clock, and at Omaha—1,913 miles from San Francisco. Four days and seven hours since we left the Pacific street wharf—taking the traveler's time. We are glad to have the change promised; and there is no doubt that the transshipments at the three main points—Ogden, Omaha, and Chicago—are generally accepted as reliefs.

In one of the ugliest-looking center-wheel ferry-boats that ever plied the waters of the Missouri we are paddled across the river—enjoying a full view of the city of Omaha, handsomely situated on the bluff, and facing the East. It is now a city of 25,000 inhabitants, and its growth is assigned at twenty per cent. yearly increase of population.

At Council Bluffs, on the opposite side, there are, as you have probably noticed from the maps, three routes offered to the traveler to the East—the Northwestern, the Rock Island, and the Quincy & Burlington. The latter run Pullman Palace Dining Cars, and at the time of my trip seemed to be the favorite route. It had not then been opened many months, and probably it was preferred by a majority of experienced voyagers on the application of the adage that a new broom sweeps clean.

I took the Rock Island route, and was well satisfied with my choice. I have every reason to believe that there is little or no positive advantage in any one of these three routes over the others. They all arrive in Chicago about the same time. I am informed that they now enjoy about the same amount of patronage.

We reached Davenport City, opposite Rock Island, on the west bank of the Mississippi, at about seven o'clock on the following morning, and were greeted by the patriarchal landlord of the railroad hotel in that city in the heartiest manner: "Welcome, welcome, gentlemen from California!" (Assuming that we were all from the Golden State; and most of us were.) "Welcome! Plenty of time for your breakfast this morning. Walk in! Walk in!" And after we had all been seated in his elegant dining-room, he repeated his greeting, and added, in a tone of voice which of itself made his assurance a delightful joke: "I don't permit the conductor to call my guests away until they have had full opportunity to do justice to a square meal."

No wonder that Mad. Neilson supplemented her encomiums on "the prettiest city west of the Lakes" with the sentence which all passengers by the Rock Island route from California to the East will indorse: "And the noblest old landlord that ever kept a hotel in any country." My comrade remarked, as we resumed our seats in the reversed car: "I really don't know whether that was a remarkably good meal or not; but it tasted to me as if it was the sweetest breakfast that I had had for many years." So much for the cheer of the landlord at the hotel in the beautiful city of Davenport.

The national government has large works on Rock Island; some completed and others in process of construction. But the opportunity afforded for seeing these works is not so considerable as to render it a positive attraction for the through traveler. A new and very high bridge is being constructed across the river—crossing the island; a work which of itself will be an item of genuine and great inducement in the soliciting point of the railroad company—when it is completed.

Now we have a day ride full of interest; villages and towns and cities entered and passed in rapid succession; and the rich, rich, "Great West" given to us in pattern by the twelve hours' rapid examination.

Now we begin to look back and partially realize the distance and time of the journey; begin to count the hours which must pass before we shall be set down beside our New England firesides; saying in underbreath—no memoranda—"What a great country!"

At four o'clock we reach the outside junction of the railroads leading south and southeast and southwest from Chicago, a distance of 488 miles from Council Bluffs. At five o'clock, after handsomely accomplishing an accident which comprised the destruction of a freight car that was left standing directly across our track by a careless switchman, we

rolled in under the vast shadow of the Rock Island depot, in Chicago.

Alas! I have felt a growing sadness, a rising grief—sympathetic emotions pushing aside the traveler's effort to narrate the facts, as in this simple writing I have approached this point in the great Overland Trip.

A few years ago we were mourning—the Americans in this country, as well as the French and Germans—the probable future military necessity for the destruction of noble edifices, churches, and great buildings for secular archives and assemblies, in European municipalities, and the ruin, it might be, of entire towns and cities under the same inexorable decree of war.

And when the cathedral of Strasbourg was threatened with bombardment, and the library of that famed city was reported to have been burned, we felt angry—even when we were conscious that it was not our prerogative or privilege to blame. And when it seemed fated that the beautiful city of Paris was to be reduced to ashes, on account of the enemy without and within, we went about our streets uttering our vain, and perhaps foolish and silly, but earnest protest. But what was Paris to us, or we to Paris, that we should weep for it? The home of emperors and kings, it owed its wondrous strength and beauty principally to royal orders, disbursing from national and municipal treasuries, which had been filled by arbitrary and grinding taxation, vast sums devoted to the adornments of architecture, and sculpture, and the planting of gardens alive with fountains, and groves mirrored with brimming lakes. Whatever of manufacturing industry was there, had been in some great part so located as in emulous proximity to the throne, or enhanced to the present degree of capacity and cunning under the sunshine of monarchical patronage. The accessories and associations of the place that for centuries had been the capital of a powerful nation—and that nation in one most important juncture our friend and ally—surround the queenly city of the Seine. We mourned with a generous and perhaps after all not an entirely unavailing grief, for the threatened wholesale destruction of Paris. Some, it is true, mourned with sinister recollection and regret; as the world flocked to Paris for worldly enjoyment—pre-eminently the city and home of fashionable ostentation and pride.

But in the conflagration of Chicago we all experienced a personal bereavement. And the more we reflect on the character of the disaster and the origin of the works that were reduced to embers, the more worthy and dignified will our sorrow appear; the more perfect will be our confidence in the recuperative force of the inhabitants remaining in or about, and laboring again over, the charred and blackened districts; the more rejoiced will we be at whatever of liberality we have been conscious of manifesting for their relief; the prouder of the Republic of which Chicago was a merchants' capital.

What are the centuries of European cities, in all their accumulated significance, compared with the less than two-score years of Chicago?

Toss into that maelstrom of misery your pittance of a thousand thalers, O Emperor of Germany! One of your former subjects, now a citizen of Chicago, who fled as a poor and oppressed man from your kingdom, according to his own record, sent back on more than one occasion to the sanitary fund of your suffering armies thrice the amount which you transmitted as a tribute of consolation to the woe of the world and the age—that woe in a republic and in a city whither your burdened people have in vast numbers hastened, in gratified search for that liberty in which with happy zeal they have become honored in wealth and power!

Well might we exclaim in her day of great misfortune: Give to Chicago! Give to that people who built her walls; who dug her canals and deepened her river channels; who laid out her spacious streets and parks; who lifted the whole common level above the possibility of floods; who defied monopolists with parallel railroads which were stretched forth in a few months of time—the invitation being full at an honest tariff; and free competition in all business the maxim and life of a magnificent trade.

You had no time, you admitted of no pauses for brooding sorrow, men of courage in Chicago! But those who stand without your portals will feel a pang for you for many a day, and until your waste places are all made glad again. Especially will this be true with those who have made the dusty journey across the plains, and after five days of incessant railroad travel have come into one of your great arched depots; been conveyed to one of your elegant hotels, and there refreshed by a perfect attention to the wants of the physical man; and from thence, for a day or more of sojourn, visited your principal avenues and centers of producing and interchanging labor.

Great Chicago! No tyrant enforced the tribute that built thee up! Quick to recognize and seize opportunities—acknowledging no such word as fail in any undertaking which commended itself to the business judgment of leaders, whose position was the result of ability rightly disciplined for practical executive thought—the spontaneous and jubilant spirit of thy whole people enabled thee to change the commercial anatomy of the Republic, and fix the grand center of distributing industry on the southwestern shores of Lake Michigan. The noble enthusiasm, the wise and righteous exercise of what are called—and misnamed when so-called exclusively—the selfish sentiments—the greatest good of all being the manifest product—has made thee so mighty.

Of the twenty-five railroads, not a dozen combined—for the experiment has been tried—could suborn the influence of the meanest daily journal published in your midst.

The people owned the corporations whose highways drew vast streams of custom to their doors. They built no bridges to give away to companies that in the slightest measure possessed, or in any form indicated a disposition to claim and use, a monopoly power against the welfare of the community. The people knew the vital necessity of cheap transportation to and from its borders; and knowing this, leading citizens and all the public journals co-operated to promote the construction, and to keep intact the existence, of rival arteries for the flowing of every species of traffic.

All hail to thee! Chicago, that was:—aye, and that yet remains—that is! And a cheer for the Chicago that will be! "*Chicago*" no longer! Thy name is AMERICAN ENTERPRISE: founded upon commercial honor! living, developed and unconquerable, in the atmosphere of Freedom!

Leading out of Chicago, as many of you are aware, are three main thoroughfares, to New York and Boston, and other principal Atlantic cities: the Michigan Central, Grand Trunk, New York Central and Hudson River R. R., or Erie, forming one favorite line; the Lake Shore and Michigan Southern, New York Central, or Erie, a second; the Pennsylvania Central being the other direct route to the metropolis. And, of course, there are connections from these great arteries with hundreds of side points, made with a corresponding reduction in fares for the traveler from Chicago—the entire network of railways east of the Michigan line having their tangent checks in the great terminal offices of the companies named. The highest passenger tariff from Chicago to New York by any one of these lines is \$18.00—less than two cents per mile by the shortest distance as laid down on the railroad maps. *

At the same rates on the Pacific Railroad, the cost of a first-class passage across the continent—a distance of 3,362 miles—would be \$59.20 in greenbacks, instead of \$140.00. The fare from San Francisco to Omaha is \$100; the through Pacific Railroad fares, on a distance of 1,913 miles—five and one-fourth cents per mile;—on railroads built by the people's money, on bonds given for the construction of which you are yearly taxed over nine millions of dollars—on railroads whose aggregate income last month was over thirteen hundred thousand dollars, or \$15,600,000 per annum, or \$162,000,000 of profit in ten years. And these latter money figures are brought into no comparison with at least equal millions of revenue from the sale of lands, and timber, and coal—a sum total of at least \$324,000,000 profits in ten years; allowing nothing for the increase of patronage. By the ordinary ratio of multiplication for the number of passengers and the burden of freight, set down in the statistical tables of the most competent calculators, of the advance in amount of personal

and commercial movements, the profits would stand at not less than \$500,000,000 in ten years. And yet you have to pay nearly three times as much for passage on this road as you are required to pay on "through lines" in the East, constructed almost wholly by private capital. Surely, this is a topic of itself, which has no personal or partisan exclusiveness, but belongs for consideration in every lecture-room of every city, and town, and village, and hamlet of the Union, until some effort for reform shall be successfully instituted against the most gigantic extortion of the age. One-fifth of your taxes in San Francisco now belong to these railroads, direct; besides every form of indirect tribute. And this with a law of Congress, chartering one and empowering and endowing both Pacific Railroad Companies, which expressly provides for a reduction of fares when ten per cent. on the capital stock is reached in earnings—(and Congress could ignore the watering operation, and insist on a literal account of expenditures)—under a law expressly contemplating a reduction of fares by a general and sweeping clause, which says that this bill may at any time, in any section, be amended as Congress shall see fit; and providing for the purchase of the roads at a fair valuation. And yet no voice is raised in Congress from this coast, from either party, for such a reform; and the deadheaded "leading citizens," clergymen, editors, and politicians in California prevent there being any organization for a grand popular appeal for relief. And when a reform resolution is passed in the House of Representatives, on the motion of a Michigan Representative, a Senator from the Pacific Coast pockets the precious document, prevents concurring action on the part of the Senate, and is re-elected by the railroad company most benefited, at a canvass cost of \$200,000. So we pay nearly two dollars for travel over the mountains and on the plains to Ogden, instead of one dollar—in that proportion for all local traffic beyond Sacramento—because the people have not only been "unrepresented," but flagrantly betrayed. How long is this condition of things to continue? Will it be until the citizens of San Francisco and adjacent localities, with perhaps a morsel of help from the State at large, have made a New Year's present of a bridge or causeway over or through the bay to these monopolists? Shall we have relief then? Or shall we be so much the more in a burdened subjection to the outrageous tolls and taxes of a heartless corporation? Think of these things!

I cannot claim that I am authorized by my experience and observation to give fully a comparing estimate of the excellence of the

* No plain, direct bill, for the reduction of fares. Round-about resolutions, statutory propositions for future reports from the railroad companies in regard to land sales, etc., abound; but no simple section saying, "the fare on these railroads shall not exceed so much"; nothing of the kind since C. C. Washburn's resolution was pocketed.

* The Baltimore and Ohio now have a direct connection with Chicago.

three routes from Chicago, east, to which I have referred. My New York ticket was *via* the Michigan Central and Grand Trunk to Niagara, and thence by the Erie, and I did not regret the selection. Let me say, however, that you should be apprised of the necessity of having all your baggage sealed by the American tide-waiters at Detroit. Otherwise you are almost sure of being mulcted by the vigilant Custom officers at Suspension Bridge, who, just when you are trying to catch a passing glimpse at the great cataract, will demand your checks and your presence in the baggage car. Twelve dollars' worth of books, purchased by your humble servant in Chicago, were taxed \$6 by these gentle gate-keepers of the bridge, in the name and by the authority of the U. S. Government, and in spite of all objection and protest. An old lady, who had been presented with a silk dress by friends in Michigan, was compelled to "fork over" (that was their language) \$10 to a brace of national policemen, although a through sleeping-car conductor vouched for the passage from Michigan, as the dame declared. A night on the Michigan Central, then half a day on one division of the Grand Trunk, and then an afternoon and the last night of the trip in one of the superb drawing-room and a sleeping-car of the most commodious railway in the world,—"Jim Fiske's Erie." I beg leave to interject (for better or more tolerating opportunity will not be presented): with all the grievous and undeniable sins of imposition laid to the charge of Vanderbilt and Fiske, their rail-cars and steamboats in the East, their elegant traveling accommodations, are never enjoyed by the tired voyager without the audible utterance of the heartfelt thanks of a grateful man.

I passed several hundred miles on the other routes named, and from that opportunity of comparison I should be inclined hereafter to prefer the Pennsylvania Central as the most free from all kinds of annoyances ordinarily inseparable from railroad life.

The early morn finds us at the Pavonia Ferry, Jersey City; and we have our 8 o'clock breakfast, on the eighth day from this city, in New York, at the restaurant of the "Hoffman."

And now, my friends, upon whose good nature I am conscious of having already trespassed—skipping a hundred items that crowd for utterance, and some of which I may hope to present under another caption at another time—I beg your patience for a few minutes longer, while I indulge in some general, but, I think, important, practical statements and observations. Scenes and incidents in New York, in Boston, in Portland, in Montreal and Quebec; and intervening places, and at Philadelphia, Baltimore, Washington, of which I would like to say something in this very connection, must be set aside for a more convenient season. Only a few minutes for brief closing paragraphs.

And, first, it comes to you as you close your overland railroad trip, as it properly should—

as it never has and never could have been developed to your senses before—as a universal experience of thought, and feeling, and proud congratulation—"This is a great country!"

In your journeys by the Isthmus, if you have made such voyages, you have had an ever-attending, abiding sense of making a circuit. You bring the computation of time and distance directly to the measurement of the national domain—the just and adequate comprehending of its magnitude. And the slowness and great tediousness of the stage trip across the Plains—much more the emigrant trail passage—the days, and weeks, and months in the desolations of nature, seem equally to forbid either a joyful recognition of the extent of the Republic, or a hope in its possible perpetuity. And, added to advantages for complacent reflection, to-day, on the part of the overland voyager, which these contrasts present or suggest, is the still more general appreciation, as never before, of the revolution which steam has wrought! As you go back and forward, east and west, across the country, these reflections must ever recur with undiminished freshness and stimulating power. I say, "Universal Experience!" It must be so to every well-balanced, healthy mind, unto whom the overland trip has not been—as for some, I confess—one long luncheon, or, worse yet, as for more that I know and regret, one long drink!

So vast an area! Will its inhabitants maintain patriotic relations, if monopolies do not develop into an unbearable, many-headed tyrant in the land? Does it stand to reason, though it seems placed among the improbabilities by experience, that these widely separated folks will ultimately become and long remain one thoroughly homogeneous people, with the present or a similar Constitution?

There are a hundred replies capable of being argued out to the satisfaction of given classes of hearers, ranging from the abrupt negative, or from the sneer as at the most foolish of absurdities, up through various shades of misgivings, until it is styled an "even thing" in the region of chance; and thence up, up, with a growing balance of favoring probabilities, past a score of expressions of rising confidence, until all doubters are treated with quiet, then staring, then vehement contempt;—the imperishable nature and destiny of the Republic being guaranteed by all the signs on the earth and in the heavens above?

Now I have my response—a new one for me—which I think it is most fit should have enunciation at the close of the round OVERLAND TRIP,—in Dashaway Hall, in the city of San Francisco. I deem it reasonable to suppose that all threatened dangers to our free institutions and our Union may be braved with confident expectation of victory for liberty for many years to come, under one political rule, if the wastings and demoralization of the DEMON OF INTemperance CAN BE STAYED! I am not here now to recount observations or make any remarks;—I state a

conclusion. Only this I will say: going into and coming out of every city or town of considerable size on the direct trip, or on side excursions, as the evening hours came on, until the midnight chimes, the first and last view of life in the suburbs, as well as a principal picture in the heart of the city or town in the Western States, was a wide open saloon-door, with a stalwart proprietor in his shirt sleeves on the sill, or behind the bar; and in the center of the room one or more round tables, three or four feet in diameter, at which two or more human beings sat, alternately shuffling a dirty pack of cards and guzzling lager beer. Lager beer! Spelled *bier* in the East, and there spelled right. The foulest beverage that ever rotted the stomach; destroying digestion and the temper, bamboozling the brain, soddening the intellect, begetting the insanity of stupidity, fattening the coatings of the heart, producing imperfect circulation, and deadening the natural affections; a very stench of decomposition for any city's borders, breeding fevers and pestilences; killing the body and damning the soul by processions of diseases less violent than those engendered by New England rum, and less desirable—for a longer existence as a beastly drunkard is from the tankard of the malt house imposed upon a suffering world! There is no lecture in this paragraph, but the seeds of many. We need sober men and women for the nation's sake; and I speak to-night in the solemn profession of a patriot. It is time for the moderate of moderate drinkers to offer a clean example.

You are seriously impressed on your return to the Atlantic side with the fact—which you had almost forgotten—that from leafy June to sear September it is extremely hot weather in those parts. O! delicious climate of San Francisco. How often did I wish that I could cut off a slice of our thick fogs, fresh from the heads of our harbor, and cool the air of a seething night. I said at my opening that it was good for us to be here. You may reject that saying now! but you will declare and pronounce that sentiment to yourself, being pertinent, many, many times during your summer vacation beyond the Rocky Mountains.

I found the mass of the people, the "intelligent people," with whom I came in contact in the Eastern States—especially in New England and New York—"amazingly ignorant"; as I at first characterized their condition concerning California, and the things that pertain to our social order and future prosperity in immigration. By-and-by, I discovered that what I mistook for wonderful ignorance was in reality astounding delusion. Then I could no longer be surprised at our failure to receive a large influx of population directly from the "East"—of our own nation.

My friends, I am sorry to say we have a very bad reputation in New England and New York, and in some localities in the easternmost of what are named the "Western States." Strange as this statement may

sound to most of you, it is even so; and you will verify it if you make an early home journey to those parts for yourself. What! with all the large books and small pamphlets that have been published containing full statistical accounts of California—her history, resources, development, and the character of her people? What! with all the personal and newspaper correspondence that has passed and that is flowing in and out! With all the personal inspection that has been had and reported within the past two years! Yes. The voluminous works are rarely read; and the journal correspondence does not deny the wrongful accusations. And while some travelers have actually been deceived, so as to confirm the false reports, many are unprepared to dispute the charges when brought forward by others; only a few vindicate us with honest and earnest words.

My friends, the people of California have been grossly slandered! Generally, in the region named. What little appears to be *prominently* believed respecting our people, as a mass, seems to have been gathered in great part from clergymen who have written letters or, on home excursion trips, delivered lectures—with "California" for their topic. What are known as the *popular books* on California—such publications as that of Sam Bowles of the *Springfield Republican*—while they do not give direct support to the libels to be complained of, present no refutation, and in a manner—by their seeming omissions and significant silence on certain topics—imply a corroboration.

There are thousands of people in New England, New York, Ohio, Indiana, intelligent men and women, who actually believe that the usual morning recreation of a large portion of our population consists in stoning and wounding Chinamen, and that our principal evening entertainment is the wholesale slaughter of innocent Celestials. They are convinced, from the concurrent testimony which reaches them, that the Chinese are the most industrious, honest, truth-telling people in the world; and to this they add a nurtured imagination—that the only qualification to the otherwise perfect, diabolical fiendishness of the conduct of a majority of our inhabitants towards that amiable, laboring people is, that we do not eat them! And extracts from California newspaper articles and editorials are saved and exhibited on occasion; giving countenance to the most injurious indictment. They are most incredulous when you tell them—that these same newspapers, in their daily, unprejudiced, searching record, show to be the fact—that while there have been nearly seventeen thousand five hundred cases of assault and battery, and assaults of various kinds and degrees, noted for San Francisco within the last twenty-one years—itemized in the same journals—there have been less than two hundred assaults in which a White man and a Chinaman were engaged, where the former was the originator of the difficulty. The good people to whom I refer, whose favorable opin-

ion would be of decided benefit to our State, have some very singular ideas concerning our Asiatic denizens, which, as they are apparently intimately blended with their mistaken ideas of our average behavior towards the Chinese, may legitimately lead some of us up to the source from whence these undoubted libels proceed. Long ago I had some hint, from some source, of such belief on the part of many of the folks in the East; but I wholly discarded it as a most foolish tale, until I heard with my own ears that I may now certify with my own tongue. For instance, they think that the Chinese cannot eat the flesh of turkeys; or that they exhibit a commendable Christian superstition by abhorring such flesh when on a half-stripped carcass and deposited in the larder of an orthodox minister of the gospel!

Whenever I could, consistently, and in the proper improvement of open opportunity, I contended against the alleged truth of the arraignment made by apostles who claimed that the little social and religious salt in our land was sprinkled exclusively from their congregation; but I scrupulously forebore—with many scourgings of an uncondoned desire—from stating (as just retaliation, and as an obvious contribution toward the ignominious dismissal of the slander) that the cornerstone of the church of our chief slanderer was paid for with money collected at the door of the Pavilion, in which clowns, harlequins, and Rahabs lent attraction and afforded entertainment; nor did I once tell the fact—well-known in this community—that the decreasing attendance at our chief slanderer's temple was reformed, and a large gathering ensured, by announced and delivered descriptive *moral* essays on the brothels of San Francisco. Thank God! after all, the worst that could be revealed for our shame is not yet generally known in the New England States.*

It was to correct some grave and immigration-retarding misapprehensions of the kind indicated, and because I found that the simplest facts in regard to our soil, its price, etc., our climate, our educational privileges, etc., were misunderstood to a great extent, that I turned Lecturer on California; and the crowded houses with which I was invariably honored in the New England and in the Middle States, and in the Canadas, gave assurance of the genuine and lively curiosity of the inhabitants of those comparatively poor countries to hear the facts in regard to California. And with the kind co-operating responses of the Secretary of the California Immigration Aid Society, I was enabled to thoroughly enlighten not a few in regard to a State for which their familiar missionary phrase had been: "A Chinese slaughter-house." From the lecture they departed to procure and read the authentic and particular

publications of Cronise, and Hutchings, and Hittell, and Wentworth.*

There are thousands upon thousands of young men of good school and farm education in New England, who are possessed of from one to ten thousand dollars, who could be prevailed upon to come to our coast and invest their little capital and their skilled, persistent labor—soon learning the ranch requirements—by very simple, direct, authoritative representations and solicitations from special agents of our Immigrant Society—supplied with maps and specific offers of given parcels of land. The living presence of the agent is needed; after that, the books and pamphlets will be closely read, remembered, and acted upon. And while our Immigration Aid Society is sending out its circulars by the thousands to Germany, and (I hope) a few to France and England, why would it not be well to transmit a dozen or so of the authentic publications of the society to the mayor or other principal officers of New England, New York, and the Canadian cities and towns that have a place on the map of America? I venture this suggestion as immediately practical. At Quebec, four or five hundred English immigrants land weekly; most of whom now go to our mid-west. At that point California should have a commissioner, who could readily capture all the available material from that incursion of the Anglo-Saxon stock.†

But omitting all particular mention of four months of sojourn and traveling in the Atlantic States, north and south, and the Canadas, I must, in a few words, in two or three sentences only, bring myself back to San Francisco for our parting. My return trip proper is up through the Canadas, down on the Grand Trunk to Chicago, where I stopped during one of the first weeks in September; then to St. Louis—visiting Mound Park, and reverentially gazing upon the statue of the great prophet of the Pacific Railroad, Tom Benton; thence to Kansas City—which I expected to find a village of a few thousand people, and which I ascertained to be a city of over 40,000 inhabitants. Thence across the State of Kansas, on the Kansas Pacific—passing immense herds of buffalo on the way. Broadside after broadside was fired at the droves from our car window. Only one animal fell, as a token of the marksmen's skill! Many

* I desire to acknowledge all needed co-operation and courtesy in the particulars in this paragraph indicated, from Mr. Charles S. Capp, who was secretary and manager of the California Immigration Association at the time I made this trip. It is a great pity that the subsequent Legislatures did not continue appropriations for the association, and enable the trustees to retain the services of so valuable an executive officer as Mr. Capp proved himself to be, in this connection.

* See Appendix B.

† See Appendix C.

claimed that they hit that single victim of our apparently cruel but in the main harmless sport. But I was silent. And for a long time after we had passed out of the buffalo region, there was considerable bragging, not to say contentious speech, among the passengers, as to who hit that animal. I was silent. Several persons on board took a sharpshooter's oath that they, individually, did the job. In such a presence I was silent. But, ladies and gentlemen, as I shall not, probably, have another similar occasion to make such an avowal, and as I am sure you will keep this vindication of the truth of history in proper confidence, and do me the justice which that truth demands, I will tell you privately: I am the man who shot that buffalo!

I found Denver a city of 15,000 inhabitants, and full of animation. We enjoyed a two-mile experimental ride on the narrow-gauge Rio Grande Railroad. Getting aboard the Denver Pacific, we came up to the junction at Cheyenne—a beautiful morning ride over a delightful country; passing, of course, through Greeley, where it appeared that no liquor was sold—nor anything else. On time at Cheyenne. The usual experience to Salt Lake City, where we stop for the Sunday; attend the theater and the tabernacle; have a sight at Brigham Young, and hear one of his ancient elders preach, and one of his young, newly returned missionaries give an account of his proselyting services, without “purse or scrip.” Salt Lake City was at that date full of miners, and agents of English capitalists eager to purchase mines. Many hundred thousand dollar sales were effected whilst we were there, of which we had knowledge. There were strong hints of a greater than Washoe excitement for “next spring.” But of Salt Lake we shall speak at another time.

On the Utah Central for thirty miles. On the Central Pacific again; and Monday morning we are coming down the western side of the Sierra Nevadas. “Dear old California, again,” we all exclaim with a swelling heart. Welcome! Welcome! Welcome!

California! Beginning its years of Christian civilization with the honored dates of American Independence; claimed and held so as to become a necessary part of the ultimate settlement with Mexico against the usurping plans and in defiance of that same great British tyranny which our revolutionary fathers spurned and punished; it appears to have the Providential coincidences of times and seasons which most befit its adoption as the absolute central western border-land of the inheritance of freedom. It being ordained and decreed that a vast area of magnificent territory in the southwest was—as the chosen fruit of the war with Mexico—to be added to the national domain, shadowed and gloomed with human slavery: California—that graceful elbow of the northern continent, turned in beauteous lines to the fringing sea, fair and goodly throughout its boundaries, having resources which many generations of enterprise

should not wholly discover—so related that it should attract to the intervening, comparatively barren soil, in the successful search, the prospector of the richest quarries of silver and of gold;—California! with its free constitution was by the most fortunate of compromises admitted into the Union of States. Hail to thee, California! More heartily than the enthusiastic stranger will your returned children greet thee again.

Our country, your country, O friends afar off. Would that I could sing in adequate harmony and exaltation of thy glories, to the distant people whose patriotic proprietorship is not less firm and true than that of the favored hundreds who have gathered under thy vines and fig trees!

O mountain summits of eternal snows; 17,000 feet above the ocean wave; celestial towers, springing from the groves of the Sierras, all along the eastern line of the new realm of the Republic—ye white pillars of the firmament above us, seen by every inhabitant of the land—hail to thee! And O ye mighty forests, that crown the accessible heights and clothe the swiftly sloping sides with garments of grandeur and treasures for architecture and industrial skill; cedars of Lebanon, fir tree and pine, laurel wood and palm—hail to thee! And O ye great and lesser lakes, whose sparkling waters fill to the brim the granite bowls hollowed by the hand of the Almighty in the exalted table lands, or on the very ridges of these mountains; seeming with conscious reverence and adoration to breathe upwards to the Creator a morning testimonial of incense, as the rising sun touches and flames their mirrored surface with its brightest beams—hail to thee! And looking down upon the immense expanse—millions upon millions of acres of virgin meadow land, covered with the succulent grasses and ready to yield a thousand fold harvest in return for the simply scattered grain; waiting, waiting, for the husbandman that should come from our own East, and here abide and prosper and be very glad—hail to thee! And O ye cultivated valleys of the State, where the wheat in mighty fields nods heavily to the murmuring breeze, and where the silken-tasseled corn laughs by the waterfall, as it droops over ears of five hundred kernels; where hundred-pound green and yellow melons push their huge bellies toward the lusting eye; where glows the purple of the luscious grape—its mammoth clusters trained to the very top of the gentle hills which are rimmed with the yellow of the orange, and the colors of whose breasts are variegated with the pink of the cherry and the tender brown hue of half-ripened pomegranates:—O valleys of Eden fruitfulness; gardens of summer sunshine all-the-year-round; last, best, most bounteous gift of God to the Adamite children—hail! all hail!

I am jealous because mine own people will not come with their mental and moral discipline and refinements, and possess the land.

But though the heathen have it for a future inheritance, yet in my generation will I rejoice in its beauty; and greeting it again, turn and sound the welcome for whomsoever of our native land shall come and set up their households here.

And lo! the land is ours to-day! At your most rapid pace, it is a full week of travel since you left the Atlantic shore. And now, as the morning breaks, we ascend the eastern slopes of the Sierras. We plunge into the rock-excavated tunnels. We reach the heights where we keep company with the icy banks. As we descend, we look down the dreadful gorges of Giant Gap; round the dizzy cliffs of Cape Horn; we sink from the rusty woodlands into the terraces and plateaus of clover and lilies; and then ride for all the hot September afternoon through the midland valleys. We dash through the passes of Livermore and Mission Peak; come out upon the fresh, cool plains of Alameda; catch glimpses of the beautiful bay, and then come close beside its waters and follow them, until, suddenly, we roll out over them, and pause

under the wide arches of the final depot. We pass the guard-planks of the ferry-boat, and take our comfortable place on the forward deck. Land of ours! Still within its boundaries! For see, as the boat swings out to make the last scroll at the end of our voyage, see! the banner of beauty floats from the central Isle of Alcatraz, and from the bastion of the defenses that jut out from the peninsula at the middle of the outer strait, and from the top of the fortress at the southern side of the Golden Gate itself. It floats yet from each one of these three stations; and you behold 'tis as you look out through the narrow vista to the sea! The same flag that you saw on the defenses on the other ocean, and all along from city to city, village to village, and post to post, as you move on your hurrying journey across the continent! So it is! And as the setting sun retires behind the scene, when you have half accomplished the very last line of your travels, that flag dips thrice, and then descends for the night into the hands of the soldiery of the Nation.

APPENDIX A.

Since this lecture was put in type, I have received a pamphlet copy of an argument by Delos Lake, Esq.—the ablest lawyer in San Francisco—made before the Committee on Corporations of the Assembly of California, on “The constitutional power of the Legislature to regulate rates of fares and freights on Railroads.”

For expressing, years ago—in the Nevada State Senate, in the editorial chair, and on the stump—such a conclusion as this masterly argument from Judge Lake’s pen sustains, I was denounced by the railroad managers and their flunkies; and for such avowed conclusion, a nomination for Congress, which was twice voted me by the people at convention-primary, was defeated by the monopoly’s money when the conventions assembled. This fact is notorious in the State of Nevada. Now I mention this for no other purpose than to have the privilege of adding: the newspapers in California that now pretend to be the people’s friends par-excellence, in the battle against the railroad companies, were then engaged in deriding the doctrines I then earnestly proclaimed, and around which Judge Lake has now thrown the light and strength of his invulnerable logic.

All the reasoning which rallies to the support of the right of regulating fares by virtue of our State Constitution, fixes still more inexorably the right of dominion in Congress to deal with this great matter of public concern, so far as the Pacific railroads can be touched.

I say this, moreover, to impress upon the people of this coast the necessity for direct and *explicit* organization and resolution against the railroad monopoly, (and all other monopolies,) in order to effect any definite and speedy result of reform. The daily journals that have obtained a foothold in this State have—with rare exceptions—betrayed you in the past; and whenever the greater advantage to them is *made to appear*, by money placed “where it will do the most good,” they will betray your interests again. Not, hereafter, avowedly. O, no; they all now pretend to be the next friends of the people. As Senator David C. Broderick said: Gwin was wont to kill Pacific Railroad bills by “Cutting them, sir; hacking them, sir, with amendments at the last hour of grace”—so will these champion daily journals come up with all kinds of small criticisms, or big inuendoes, of virtuous objection to *this particular plan*, whenever legislation focalizes under a general pledge of parties for the reduction of freights and fares, etc.

There is a simple and sure plan for obtaining quick reform in these matters. I have urged it a thousand times, and expressed conviction that nothing else—or nothing short of it—would achieve success within our day and

generation. The monopoly will not permit a man to be elected to the national Senate or House of Representatives from this coast, who will ably state the facts and relentlessly press for appropriate action thereon; or, if the election to this promotion goes against the railroad dukes, they will manage to debauch the party or personal reputation of the people’s advocate so as to destroy or neutralize his influence to a great extent. It is so with reference to Luttrell—the only true representative of our people now in the halls of the National Legislature. And it pleases the railroad folks when rich fools and blather-skites obtain senatorial togas.

No: the true plan for fighting this and all other oppressive public monopolies is by a pure bond of democracy; by an obligation direct to the people. Let the candidates of all parties be required to answer such a question as this, coming from a constituency united for this purpose, as the people of California and Nevada certainly are, or should be:—“If elected as ———, will you introduce, urge, and vote for a bill which shall read as follows, and which shall not be qualified by succeeding sections [after the enacting clause]: ‘From and after July 4, ——— the railroad companies in this State, [or “the Union Pacific and Central Pacific Railroad Companies,”] shall not charge over four cents per mile for each and every passenger.’”

The popular circular of inquiry might also bind the candidate to a law of penalty against the officers of the railroad companies; attaching the misdemeanor to all the recipients of the overcharge—following the receipt up to the directors and president. But whether this be practicable or not, the first section suggested could be made a part, if not the entire, of a record, yea-and-nay, that could not be leaped over, pushed aside, or crawled under.

This was the plan we adopted for insuring the confirmation by the California Legislature of the Van Ness Ordinance, through which the majority of the homestead titles in this city, at that time, were quieted; despite the protests and mob-inciting efforts of the same daily journals that were afterwards evidently in the railroad company’s pay, and now affect to love the anti-monopoly interests of the people so much! O, so much!

Little children! put not your trust in demagogue journals. Focalize public sentiment by a precisely-lettered covenant with aspirants for the places of rule, where this matter may be and ought to be determined *forthwith*.

Never, never, never will you have adequate, *ample*, and *SPEEDY* emancipating legislation as against railroad, telegraph, gas, and water corporation extortions, unless you adopt this plan.

APPENDIX B.

The fact is, the Chinese have not been any more subject to insult or outrage than any foreigners, unacquainted with our language and customs, and correspondingly unable to detect imposition, or resent or revenge personal indignities. The affected humanitarianism that has at times magnified every boy's twitch of a Chinaman's cue into a monstrous brutality, belongs to that class which have most direct mercenary reasons for promoting Chinese immigration. Could our intelligent and candid fellow-citizens of the Eastern States have a month's observation in this city,

good-bye to Burlingame treaties. Our boys are kept in idleness by the Chinaman's usurpation of the industries for which they could supply the muscle and brain. "Hoodlumism" is to be placed to the "credit" of a sedulously fostered Chinese immigration. Now that even such an orthodox authority as the *Christian Weekly*—published by the American Tract Society—admits editorial correspondence deprecating Chinese immigration, may we not hope for the statutory improvement of public sentiment, in the Eastern States, on this subject? May it be so.

APPENDIX C.

This matter of fares and freights on the Pacific Railroad concerns all the people of the country. In the item of the cost of woolen garments alone, the market of the whole country is now sensibly affected by the price of passage for the wool invoices of the manufacturers who draw their supplies of raw material from California. And whether you, of the East, plan for emigration to California, or a pleasure trip, the difference between fares as they are and as they ought to be is a large margin for consideration.

If the freight charges on the Pacific roads were such as they ought to be—such as Congress ought to provide they shall be—fresh and preserved fruits from California would soon be a "cheap luxury" upon every New England table.

It is your citizen-duty—yours, sir, of New

England, of New York, of Pennsylvania, of Ohio—to see to it that your candidates for Congress are explicitly pledged in reference to this subject. Ascertain if they are duly informed in regard to the history of the monopoly and its extortions. Incite them to learn the facts of imposition, and to study arguments for the method for comprehensive and quick reform.

We should have the force of a *National Public Sentiment* concentrated on Anti-Pacific Railroad monopoly legislation, in this centennial year. And so it shall be, if every one who reads these few pages will do his citizen-duty, in the mode indicated, and by whatever acts correspond thereto,—contribute to the enlightenment of the people and the pledging of their representatives at Washington.

APPENDIX D.

"I am confident that the great danger to our republican freedom will spring from a different source; I mean from combinations of capitalists and others to secure and wield the pitiless power of monopoly."—*Alex. Hamilton*.

"The latest statistics show that we have in the United States about seventy-four thousand miles of railway, with a nominal capital of \$4,200,000,000; their gross receipts aggregate over \$500,000,000, amounts greatly in excess of the government debt and rev-

enue ; all this sum is capable of being controlled and directed by a few men ; on all questions where railroad interests are in conflict with the interest of the public, the influence of this wealth is a unit against the people. It employs great armies in operating the various lines of road ; it is the best customer of the press ; it controls the telegraph lines, has the readiest access to the public ear, and is the all-powerful abettor or terrible foe to political aspirations. Many of our laws are made in its interest, and along every line of railway it keeps in its employ the best legal talent ; these men become our judges, and, having been educated to view laws relating to railway matters from a railway stand-point, naturally interpret difficult points in its favor. Members of the legal profession are often in the lobby to serve this interest, and instances are not wanting where representatives of the people, while holding official positions, accept retainers to advocate claims adverse to the

rights of the people. A railroad corporation is soulless, and yet immortal ; wiser than philosophy, it has found in a perpetual charter the elixir of life. When our fathers abolished the law of primogeniture, they supposed the country was secured against the evils of vast individual wealth accumulating from generation to generation, because the certainty of death would bring the certainty of distribution ; but a perpetual charter, granted without consideration, has become a spindle to twist the gossamer thread across the chasm of death. All this vast and constantly increasing wealth is under irresponsible control. A corporation can neither be hung nor sent to the penitentiary ; that is to say, there is an entire absence of individual responsibility. Vigorous, alert, all-powerful, and perpetual, it only needs unscrupulous managers to become a worse tyrant than Nero—a more dangerous master than Robespierre.”—*International Review*.

THE PAVILION PALACE

OF

INDUSTRY.

“Humani generis progressus,
Ex communi omnium labore ortus,
Uniuscujusque industriæ debet esse finis ;
Hoc adjuvando,
Dei opt: max: voluntatem exsequimur.”

The progress of the human race,
Resulting from the common labors of all men,
Ought to be the final object of the exertion of each individual.

In promoting this end
We are carrying out the will of the great and blessed God.”

The Palace of Glass.

“Fair land, by time’s parental love made free,
By social order’s watchful arms embraced :
With unexampled union meet in thee,
For eye and mind, the present and the past ;
With golden prospects for futurity,
If that be revered which ought to last.”

Wordsworth.

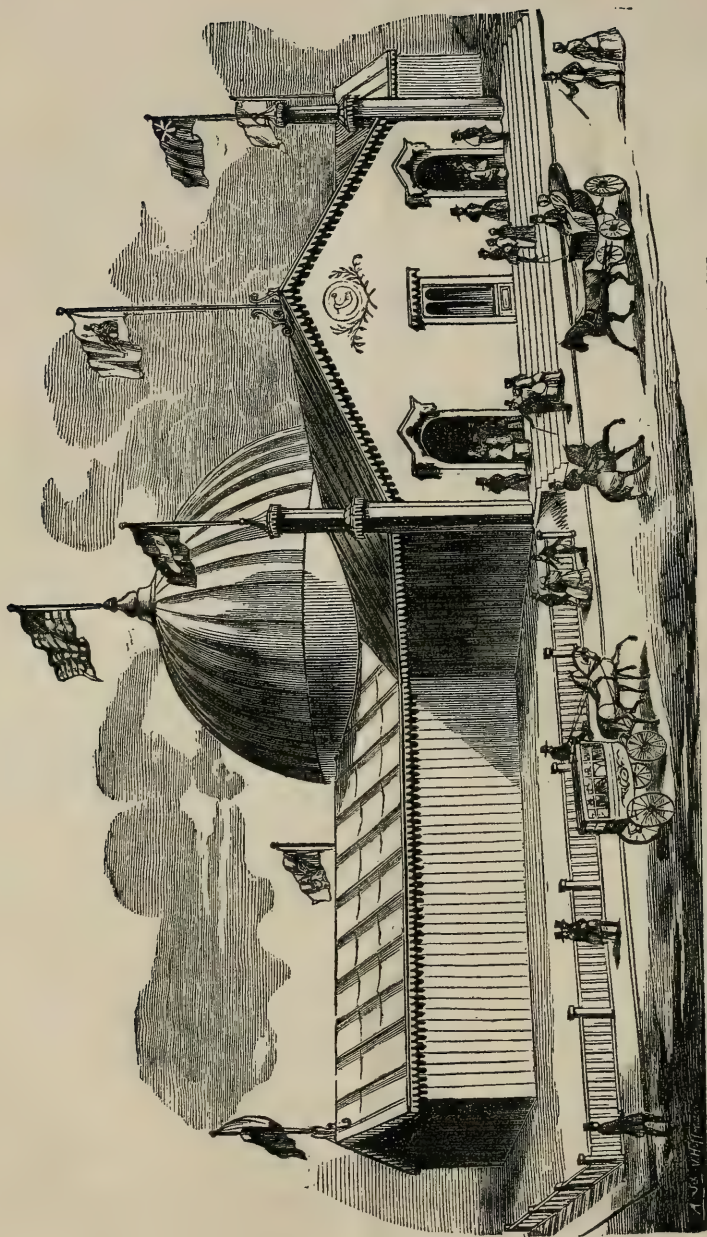
BY REV. DR. SCOTT, OF SAN FRANCISCO.

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1857.



PAVILION OF THE FIRST INDUSTRIAL EXHIBITION OF SAN FRANCISCO. 1857.

The Mechanics' Industrial Exhibition,

OR THE USEFUL ARTS EXPONENTS OF THE NATURE, PROGRESS AND HOPE OF CHRISTIAN CIVILIZATION: A DISCOURSE DELIVERED IN CALVARY CHURCH,
SUNDAY EVENING, AUGUST 23, 1857.

"A man was famous according as he had lifted up axes upon the thick trees."—*Psalms* 74-5.

Dr. SCOTT read also Gen. I, 26-28, and IV, 17, 20-22, and Isaiah XXVIII, 23, 29. The following verses also, from the Son of Sirach, intended to show that the arts and sciences are gifts from above, and as illustrative of the state of the arts and sciences among the ancients:

"The principal things for the whole use of man's life are water, fire, iron and salt, flour of wheat, honey, milk, and the blood of the grape, and oil and clothing.

"How can he get wisdom that holdeth the plough, and that glorieth in the goad; that driveth oxen and is occupied in their labors, and whose talk is of bullocks? He giveth his mind to make furrows; and is satisfied to give the kine fodder.

"So every carpenter and workmaster, that laboreth night and day, and they that cut and grave seals, and are diligent to make great variety, and give themselves to counterfeit imagery and watch to finish a work. The smith also sitting by the anvil, and considering the iron work, the vapour of the fire wasteth his flesh, and he fighteth with the heat of the furnace; the noise of the hammer and the anvil is ever in his ears, and his eyes look still upon the pattern of the thing that he maketh, and he setteth his mind to finish his work, and watcheth to polish it perfectly. So doth the potter sitting at his work, and turning his wheel about with his feet, who is always carefully set at his work, and maketh all his work by numbers. He fashioneth the clay with his arm, and boweth down his strength before his feet; he applieth himself to lead it over, and he is diligent to make clean the furnaces. All these trust to their hands; and every one is wise in his work. Without these cannot a city be inhabited. By children and the building of a city, their name is continued."—*Eccclus.* XL, 19; XXXVIII, 25, 32.

In the earliest records of husbandry among the Hebrews, we find them using the staff or flail for threshing out their grain. Thus when the Lord appeared to Gideon, he was found at work, threshing wheat by the wine press with a staff; and after Ruth had gleaned in the field till the evening, she beat out with a staff what she had gleaned. But in a subsequent period, the Israelitish farmer being endowed with discretion from above, employed, as we learn from the text of Isaiah xxviii:

23-39, at least four different instruments, the *flail*, the *drag*, the wain, or cart, and the feet of the ox for threshing out the grain. In the East, machines of a similar construction to those alluded to by the prophet, are still used, drawings of which may be seen in Wilkinson's works and Niebuhr's Arabia, and other similar volumes.

The prophet which we have just read, may be paraphrased after this manner. The imagery is all taken from the farming art. "As the husbandman uses various methods in preparing his land, and adapting it to the several kinds of seeds to be sown, with a due observation of times and seasons; and when he hath gathered in his harvest, employs methods as various in separating the corn from the straw and the chaff, by different instruments, according to the nature of the different sorts of grain—so God, with unerring wisdom, and with strict justice, instructs, admonishes, and corrects His people; chastises and punishes them in various ways, as the exigence of the case requires."—*Dr. Clarke.*

It is not my purpose to attempt any farther exposition of the texts recited, but to speak of

THE INDUSTRIAL EXHIBITION *of the Mechanics' Institute, as an exponent of the State, progress and hope of the useful arts among us, viewed from a Christian stand-point.*

Agricultural Fairs and Exhibitions of the elegant and useful arts, are not altogether recent. Substantially there have been such *expositions* in all ages and among all nations. For as soon as *meum* and *tuum* began to be distinguished, men began to trade, and trading called for a supply to meet the felt demand, and a market place became a necessity. In our day, however, there is a revival of such exhibitions, which in their nature, magnitude, and splendor far surpass the the fairs of ancient times. As early as 1723, there was an exhibition of Industrial arts in Ireland which I think was the first of the kind ever undertaken of any moment. There was one soon after in Scotland, and then in France, and in the various cities of Central Europe. But it was in 1851, six years ago, the whole world went *a-Maying* to London, and everybody is now more or less familiar with *Crystal Palaces*, *Expositions universelles*, and fairs of all sizes and all sorts.

I believe there are some who think that it is premature to speak of the Industrial Pavilion Palace—that we should wait to see whether

it is not a failure. We are told that such a discourse is an *epilogue before* and *without* a drama. Well then, I have only to say, that I am much mistaken in the character of the mechanics of California, if they have any such word as *failure* in their dictionary of the arts and sciences. At all events, I am perfectly willing to trust them for all that is *possible*, and shall proceed with the *prologue*, expecting the *epilogue* to come in due time—only we cannot undertake both at once.

It may all be right that the age of criticism should come *after poetry and invention*—that Longinus did not—could not have lived before “the blind old man of Scio’s rocky isle.” Let the *epilogue* then come after the Fair itself; but may we not enter and speak of the structure and its design, and express the hope that a generous public will look upon the enterprise with distinguished favor, and especially that the fair, “creation’s loveliest fair,” will often shed the lustre of their eyes, the witchery of their radiant smiles on the faces of the honest sons of toil and trade under the shadow of their broad Pavilion. Here we shall find—

“When we need
Refreshment, whether food, or talk between,
Food of the mind, or the sweet intercourse
Of looks and smiles, for smiles from reason flow,
To brute deny’d, and are of love the food.”

By the perseverance of a great thought and the indomitable energy that is wont to characterize the knights of the industrial arts, we have seen the mechanics’ pavilion arise in our midst, to embody in a visible, material shape, the treasures and wonders of art produced and naturalized on this coast. Here we are to witness the development of a *home feeling*, and of our capacity to produce within ourselves all that we need for our real comfort and independence.

As I understand it, this *Industrial Palace* owes its origin and structure to the desire of the Mechanics’ Institute to stimulate industrial progress on the Pacific coast, and to elevate the position and to increase the perfection of the useful arts among us, and to develop the resources of the State, and the capacities both of the State and of its inhabitants—an object most praiseworthy.

THE PAVILION'S EXPONENTS.

I. *It is an exponent of the activity of the mind.* Historically we know that man is by nature and everywhere an artificer, an artisan and artist. The Greeks and our forefathers were wont to call the *poet* a maker. And surely the term is not misapplied; but if the power to express thought and feeling in the beautiful *texture* of language, and by the grand machinery of the epic, and the sublime display of poetical imagery, is a creative power, what shall we say of the power that forms objects of beauty and usefulness out of the raw material—of the power that forms the textures of soft wool and fine linen and glossy silks? *Is it not creative?* Whence the mighty machinery of a thousand horse power—that propels a palace guarded by an army of horse and foot over the raging billows with the speed of a courier?—whence these images that express to the eye the beauty and dignity which the poet impresses upon the mind? Who then shall say that Homer is a greater poet than Phidias, or Longfellow than Powers, or Michael Angelo than Milton?

The builders of this Pavilion and the workers who are to fill it with specimens of their handicraft, are all *makers*. They have not called into being material entities from nothing, but they have stamped upon matter that exists by the fiat of omnipotence and its various shapes and combinations, the signs, expressions and efficacy which make the building and its contents exponents of the activity and reach of mind. The mill that grinds the gold out of the quartz, the machine that cradles the waving field, the apparatus that throws the brilliancy of day over the scene by night, and every object, instrument and symbol of beauty, power or usefulness, is an utterance—an articulate utterance of mind, and all the more calculated to impress us with the actual presence of mind, because the utterance is audible without words or “melodious sentences.”

The mechanics' pavilion is a cabinet in which are to be contained a vast multitude of compositions not of mere words, but of things; of things great and small, rude and rare, curious and elegant, selected or brought to the highest known perfection by culture and skill, and arranged by practical toil and wonderful ingenuity.

Here in the language of Moses we shall see the *precious things of heaven, the precious fruits brought forth by the sun, and the chief*

things of the ancient mountains, and the precious things of the lasting hills, and the precious things of the earth, and the fulness thereof. (See Deut. 33—13-16.)

II.

This Pavilion Palace is an exponent of the union of art with science. It is an illustration of the extent and perfection to which we have advanced and combined art and science.

In our day we are told a great deal about the historical myth, which means, if I rightly understand it, *an idea clothed in facts*. As for example; given the existence of our fellow citizens of the Hebrew race, whose brethren are in all parts of the world. To explain their origin and account for their distinctive existence, the history of Abraham is conjured up. We are told there never was such a man in reality. But certain ideas must be connected with facts—present realities must be explained—so the imagination clothes certain ideas with a man of flesh and blood and calls it Abraham. Just as if we were to say, there never was such a man as GEORGE WASHINGTON. But we find ourselves a people, or peoples, or *the people*, and to explain our origin and give a beginning to our history, we agree to put certain facts together and embody them in the flesh and blood and exploits of a man we shall call General Washington, the father of his country. This is a fair specimen of the philosophy that *spirits away* the awful entities of past ages—and is to spirit ourselves away to the same bourn. Not a little of the same ingratitude and skepticism prevails in our every day working life, in regard to the achievements of the ancients. Because they had not the same nomenclature that we have, we are ready to fancy they had not the same realities to deal with. It is true, there is a sense in which the sixteenth century was the Great Exhibition of the works of the world from the time of the decline of Roman civilization. In the villas of the patricians of Florence, Venice and Rome—in the palaces of princes and popes, there could then be seen beautiful textures, beautiful vessels of gold and bronze, of porcelain and glass, wonderful fabrics and mighty machines—and historic traditions were not wanting that carried the inquiring mind of that century back to the earliest records of the human race for works of art of various kinds; but there was *no science*—the

elements and combinations and laws of nature that had been used for the production of art were not understood. The great exhibitions of the productions of art in the sixteenth century may be said to have stimulated to, and indeed to have commenced the scientific tendencies of modern times ; but prior to this there was no science. It is one thing to make an ax or weave a web of cloth by mere mechanical skill acquired by imitation or by following the verbal directions of one that knows how ; and quite another thing to understand the laws of nature that concur in the production of the ax or the cloth. It is one thing to bake a cake of bread—and no mean art either to make a good cake—and another to analyze it, explain the elements that are in it, and how it is that it is baked, and how it is converted into flesh and blood. The first is *art*, the second is *science*.

To discover the laws of operative power in material productions, is the work of science. Science generally, therefore, comes after some exhibition of art. Historically we know that men have executed great and curious and beautiful works, without understanding the principles of their art. The elements of chemistry are as old as the creation. Not a particle of matter has been created by the chemist, nor a single law of nature. And as long ago as the days of Tubal Cain, (Vulcan) we know there were very respectable artificers in copper and iron, and yet there was not then anything known of the chemistry of metals. Noah knew how to make wine, and found out to his shame, its intoxicating power, and yet he had no manual on the philosophy of vinous fermentation. Arches, pillars, pyramids and palaces, the ruins of which are now the greatest wonders of the world, were constructed by men that knew nothing of the theory of the mechanical powers as it is known to us.

Astronomy is as old as the creation, but the laws of the universe were not known till Newton, Franklin, Kepler, La Place and others revealed them. Necessity may be the mother of invention, but art is the mother of science. It may be true, however, that science perfects art. If the sciences of our day are not the originators of paper and parchment, nor of guns, clocks, microscopes and telescopes, nor of printing and engraving, nor of glass and steel, nor of the compass and gunpowder, nor of painting and sculpture, yet these arts are more easily learned, and their fields of labor vastly extended by the progress of modern science. And certainly the great chemical manufac-

stories of our day owe their existence to a profound and scientific knowledge of chemistry.

It does not follow because we may shape, and melt, and purify the metals without knowing the chemistry of metals—without knowing that to purify them, we must expel the oxygen,—that therefore a knowledge of the science of mining and refining is to be despised. Because some men have picked up a fortune by surface mining, it does not follow that the quartz mill is useless. There is no jealousy between the laborer and the inventor of machines, nor any contention between art and science. If art precedes science, science sometimes overtakes art, and sometimes lays the foundation of art, and the daughter becomes the mother. The producer, the consumer and the trading—middle man, who brings the producer and the consumer together, are all members of one great family.

III.

This Industrial Exhibition is the net result of ten years' history of California. It is a simultaneous—a bird's-eye view of the state of the arts and agriculture on the Pacific coast. In the long years gone by before the American occupation of this coast, there may have been savage and semi-barbarous fetes—scalp-dances, bull-fights, bear-fights, horse races, or a vernal *lassoing* of colts and calves for the branding, but nothing—*never anything like an Industrial Exhibition.*

I suppose the most enthusiastic admirer of the reading room of the Mercantile Library Association—the one that most keenly deplores the loss of the *Alexandrian* library of 700,000 volumes, would cheerfully give more than half its contents for *twenty lines* that should acquaint him with the true origin of human arts, and the condition of the human race for the first fifty years after the expulsion of our progenitors from Eden. The record of their early history is indeed scant, yet from what is written, some inferences may be gathered, which show that the primeval man was more than “the noble savage” of the infidel savans. Made in the image and after the likeness of the ever blessed God, he could not have left Paradise without a great deal of valuable knowledge. And upon the basis of his attainments in Eden, he was left to build up a mass of knowledge which he was to acquire by his own experience and ingenuity. Food, clothing and dwellings required at

once his care ; and very soon in his history we find him using the metals and making implements of husbandry and weapons offensive and defensive, and constructing vessels for conveying himself and his goods on water, and training the animals to servitude, and erecting houses of wood, clay and stone.

A curious speculation has been put forth by an ingenious writer in what he calls a scientific dream, of the state of the arts and sciences as exhibited in the Crystal Palace of London. He supposes that each series of rays of light still contain the image of each object they have fallen upon in the order of their progress, and that a spectator on the outside of our planet, might get himself into such a position as to see in a panoramic view every thing that has taken place on earth, by placing his eye so as to catch the visual impression of each traveling vehicle of light. We have only to suppose ourselves able to travel fast enough to overtake the images that are still traveling,—that were caught up by light in the beginning of our planet's history, and we shall see with our own eyes Adam and Eve coming out of the garden, and Noah swinging the hammer, and in due time going into the ark, and coming out of it ; and the exodus of the Hebrews, and the dedication of Solomon's temple,—the founding of Rome,—the burning of Jerusalem,—the arrival of the Normans,—the landing of the Pilgrims, and the celebration of the admission of California into the Union.

The tower of Babel was a grand undertaking ; but it was not the order of Providence then to *centralize* the human races, and hence that which was intended to bind them together was made the occasion of their universal and perpetual dispersion. But it stands out historically the monumental exponent of the views entertained, and of the arts known to the age immediately succeeding the flood.

The tabernacle of Moses was a combination of the industrial labor of his day, exhibited in the wilderness. In the building of it, though the model was given him in the Mount of God, we find the best account of human energies as put forth in that age of the world for the accomplishment of any specified purpose. The pyramids, palaces and tombs of the Nile, preceded the building of the tabernacle in point of time : they demonstrate however, but little more than the concentration of great physical power under one controlling mind. The vast structures of Egypt are monuments of the combination of the strength and toil of masses of men concentrated on certain points. And though they are not

without evidence of the presence of, perhaps, all the arts then known in the world, still the Mosaic tabernacle is a better exposition of the art and science of that period than any thing known in Egypt. For its construction, we have melting, casting, beating, gilding, boring, felling, sawing, planing, joining and carving of wood ; spinning, weaving, bleaching, sewing, dyeing of cloth and skins ; and the taking of wild animals and the tanning of their hides, and the embroidery of various fabrics.

And it is worthy of note, that there were probably but few men in Egypt in the days of the Pharoahs who knew as much about the history of their arts, religion, philosophy and huge piles of architecture, as we know now. The researches and discoveries of our day have enabled us to see ancient cities and empires, as if we were citizens in them. And with the light of science and history which we have, on such a situation we may know more of them than they knew of themselves.

THE TEMPLE of Solomon was an exhibition of the useful and elegant arts of his day. Here was granite, lime stone, porphyry, jasper and marble ; gold, silver, copper, iron ; works in purple, in blue, in crimson, and of fine linen ; ivory, ebony, emeralds, corals, agates, precious stones. Helmets, shields and spears ; mules, rams, horses, lambs, and goats ; wheat and honey, and oil and balm ; fine wool and spices had been used, traded, bartered and sold to obtain and get together the rich, varied, rare and precious materials used in its structure. The markets of Egypt, and the fairs of Persia and Tyre, and the products of western isles, and of eastern seas—the whole world was taxed for its erection. “All the kings of the earth brought their glory to it.” But never since the world began—never since the expulsion from Eden—not in the Ark itself, nor around Babel’s tower, was there ever seen such a gathering of things and persons into one place, as in the palaces of Industry for all nations in our day.

The clearest ideas we can get of ancient nations, is from looking at their agricultural implements, their bread and wine, their mills and grinding ; their metals, smelting of ores, coinage, manufactures of copper and bronze ; their houses and furniture,—the exterior and interior of their dwellings, theatres, temples and palaces ; their pottery and glass, glass-blowing and engraving ; their painted vases, books, paper, parchment and writing ; their spinning, weaving and felting ; their dress, materials of which it was made, and how prepared ; their con-

trivances for measuring time and distances ; their sewers, tunnels, aqueducts, baths, and modes of travel and locomotion ; their roads, bridges, carriages, ships of war and weapons ; their commerce and intercommunication ; their musical instruments ; earthen vessels, and how they bleached and dyed, and made brick and built cities, In a museum of such *antiques*, a little study will give even a more correct idea of the actual mode of life and attainments of the ancients, than can be obtained in any other way. The place to study the arts and sciences, amusements, habit and character of the Romans, is not so much the library as the *Museo Borbonico* of Naples, where are to be seen the relics of Pompeii. The empires of the Tigris, Euphrates, and Nile, cannot now be known—nor their history understood, without access to the British Museum, the Louvre of Paris, and the collections of antiquities at Berlin, Turin and Vienna.

THE STRUCTURE then, that we have seen arise at the bidding of the Mechanics' Institute, will enable you at a glance to take a survey of the state of the arts, ornamental and useful, and prove to us, I trust, that we are capable of producing almost every thing we need, among ourselves. We are here to have the treasures of our mountains and the productions of our valleys, and the handiwork of our shops,—objects for the eye and the taste,—for the mind and for the body,—so that, without traveling from the glittering peaks of Shasta to the burning Colorado, or from the snowy heights of the Sierras to the sea shore, by a *simultaneous view*, you may get an idea of what the State is.

IV.

This Industrial Exhibition, then, is a demonstration to the world of what we have done, and what we can do. It is our monumental pillar on which we inscribe the extent of our progress, and leave a kind of first fruits of a future of still greater progress, and give assurance of a coming destiny that will be glorious.

If there ever was a time when man stood alone on this earth,—as in a great treasure-house and workshop, with vast materials before him, out of which to construct whatever his wants or his taste required, it is not so now. If the arts were born of human capacity, and human want, the *consciousness* of this want, and this capacity, are from above. And as the industrial arts, as well as those that are fine and elegant,

are a *birth*, so they are a *growth*. Adam was created perfect. He was not born, nor did he grow. The first crops of our planet were created in the ripeness of autumn. But all Adam's children have to pass through infancy to manhood, and all the harvests that have ripened since the present arrangement of our planet began, have grown up from the seed. And the same law has obtained in regard to the arts. It is altogether different with animal instincts. The dog of Ulysses that died for joy on his return, was no wiser than the dog of Nimrod that laughed for joy over the first stag that lay bleeding at his master's feet. The beavers, ravens and bees of the days of Moses, knew as much of the science of their respective arts as the beavers, ravens and bees of "Yankeedom," in the days of the sage of Marshfield.

"The winged inhabitants of Paradise
Wove their first nests as curiously and well,
As the wood-minstrels of our evil day."

As this Exhibition speaks of progress already made, so it foretells greater progress to come. The human mind cannot be embalmed in any age or in any country, and laid away to rest in the tomb. Its development is sometimes retarded, but human progress in subduing the earth and in governing the elements, must go on. Wherever prejudice, bigotry, superstition or tyranny has cast the human mind into prison, at the proper time one mighty to save has always appeared and said, "Loose him and let him go." As we have done something, so let us aim higher. Human progress is not a mere poet's dream. It is a reality, and will always be in proportion to the combination of skill, industry and capital that may be put forth—the mechanical ingenuity and power that may be employed.

The Mechanics' Fair of 1857 will, I trust, become a historic period, from which the progress of the arts and sciences among us will date. Already we have heard of great progress, especially since "the advent of bricks and children." The splendid buildings of the present day are compared with the canvas tents of 1849. The shovel and the long-tom of past days, are spoken of in contrast with the long flume and quartz mill. Nations not only differ from one another, but the same people differ from themselves at different periods. The contrast of the state of the arts and sciences now in Great Britain, with those of its inhabitants at the period of Cæsar's invasion, or the coming of the Saxon conqueror, is striking. Nor is the comparison of the cotton gin and

steam-loom with the big spinning wheel that used to stand by the *dresser* in the corner of the old log house, while the winter evening was beguiled away in picking the seeds out of the cotton with our own fingers from the well filled baskets that stood around the blazing fire, without its lessons, its moralizings, and, perchance, painful remembrances. States must be always going from stage to stage. Let this, then, be our *Hegira*, whence we shall date our exodus from misrule, lawlessness and corruption, and from a servile dependence on other parts of the world for what the beneficence of our Heavenly Father enables us to have of ourselves.

V.

This Exhibition is a proclamation of domestic and national peace. It is a monument—a triumph of the arts of peace, and not of war. The conquering hero here is the man that has lifted up his ax upon the thick trees, or his hammer upon the glowing iron, or followed the reaping machine, or turned up the ground with the plow share. The arts chiefly to be found here are those that feed and clothe and save men's lives—not those that kill and destroy. Alexander and Cæsar; Marlborough and Orange; Napoleon and Wellington, have their place in the world's history; but Watt, Fulton, Arkwright and Morse are not less famous—if not greater benefactors to mankind than the leaders of armies.

When his late Majesty the King of the French gazed on the trophies of French skill and toil in the magnificent Place de la Concorde in 1839, he said, "These are the true victories, which cause no tears to flow." And of a similar exhibition in Paris, Napoleon the Great, even while flushed with his early victories, said—"Our manufactures are the arsenals which will supply us with the weapons most fatal to the British power." *This pavilion Palace is the Temple of Peace and Concord.* Without international and domestic peace—without the protection of law and the security of life and property, and the peaceful pursuit of agriculture and of the mechanic arts and of commerce and trade guaranteed by the supremacy of constitutional laws and treaties of peace, Industrial Exhibitions could not take place. Great Britain has never given to the world a nobler exhibition of her power than when she erected the Crystal Palace in Hyde Park by voluntary contribu-

tions, and invited all the world and his wife and little ones to come and bring all their substance with them. She invited the world to come and trust its treasure to her safe keeping. She felt she was able to protect it—and she did protect it. She redeemed—nobly redeemed all her promises. The time does not allow me to dwell on the difference there is between the May celebrations of the Greeks and Romans and the *Baltan* of the Scottish Highlands and our Industrial Exhibitions. Nor can I now dwell on the Grecian games and the Roman fetes of the Amphitheatre—where the sheer lust of blood and torture was gorged. Nor of “gorgeous Knights at joust and tournament.” How vastly superior to the sight of a dying gladiator, or a mock battle, or a review of troops and the enginery of death, and bonfires and revelries, this Exhibition of the Arts of Industry and Peace !

In the SECOND place let us draw from this pile a few *scientific morals*, *social* and *political lessons* and *religious precepts*. I cannot but think this Industrial palace will do great good. Its effects must be highly beneficial to our State. From under that dome, for one I will look out upon this radiant shore with a lofty, comprehensive and hopeful view. Perhaps I may be pardoned for speaking thus, because I never have been able to entertain the extravagant views that many of my fellow citizens have indulged in regard to this country ; and also because it is well known that in my humble judgment great and almost irreparable injury has been done to our prospects before the whole civilized world ; and yet, I can conscientiously and confidently speak of the future—though it has been postponed longer than I at first hoped. Great and radical and most dangerous principles, opinions and practices are still tolerated, advocated and supported amongst us ; yet the country has a good foundation, physically and geologically, and as to civil government, morals and religion, our organic foundation is all right. We have only to clear away the rubbish and build upon it. Our climate, geographical and commercial position, and our resources, agricultural, mineral and for wine making, grazing and manufacturing are quite sufficient to make us one of the richest, most populous, most independent and powerful countries on the globe. Among the lessons, fellow citizens, that I would seek to impress upon your minds from this Exhibition, let me name :

I. *The exercise of a most enlarged good-will and cordiality.* Every exhibition of the arts is a proper occasion for the exercise of good will

and enlarged charity. The flags that are to float from the spacious dome of the Industrial Pavilion, though some of them may have led opposing armies to deadly strife, are now to be ensigns of the amenities of good neighborhood, and national cordiality. Its promenades and avenues are to be a saloon for the interchange of thought, while its various articles will be a *conversations lexicon*—not so much, I fancy for politics and per cents, as for information and sentiment. Here we hope many of the sharp corners of rivalry and strife, of selfishness and bigotry, will be rubbed off and sent down to the dark pit from whence they came, and perhaps not a few stony hearts will be melted into the bonds that bind willing souls in wedded love.

The art of conversation—to please in conversation, and yet in no wise compromise conscience or principle, to do good and receive valuable information is a great art. This was the Socratic method of teaching. It is an art more studied in Europe than amongst us. It is reckoned one of the greatest benefits of an education in a University, that it offers the precious results of a free and enlightened intercourse with highly educated men, and with those who resort to such a place for the acquisition of knowledge. The influence of the Fellows and students, professors and associates of a seat of learning is more or less reciprocal through the whole of subsequent life. It is by such an intercourse that a community of views and feelings is generated, and a mutual respect and sympathy grow up that cling to men with the tenacity of earliest love. It is upon this great principle of our nature, that as a christian and patriot, I would, if there was no other reason, plead for our Public Schools, and for the removal from them of every thing sectional and sectarian. I would throw open their doors alike to every creed and nationality. For in the plastic period of youth,—in the school room where mind is awakened, the large and tender heart of youth is stirred, and the deepest sympathies are aroused, there will grow up a tolerant, charitable, enlarged feeling. It is in the public school that the hereditary prejudices and feuds of warring sires from the old world are to be melted, and fused and lost, and in their stead mutual respect, loyalty to the government that protects and educates them, and equal regards for each other's feelings and rights will grow up with their strength. It is not to be expected that lads educated within the same walls, trained under the same inspiring presence, reading the same authors, and in the most impressible period of human

existence feeling the power of the same or similar great thoughts and examples, will persecute one another in after life for a mere difference of opinion.

It was to be expected that the *Mechanics would build a University for us*, but we hardly expected them to do it so soon. But it is actually done. This Pavilion Palace is the first University for California. But a University implies a number of Colleges and High Schools of which it is composed. Nor are we far from them. They stand all around us. They are our marble yards, coal beds, brick yards, sugar refinery, mint, gold refineries, smith shops, warehouses, ship building docks, quartz grinding, fruit raising and flower producing gardens, and our plains of grain and leagues of cattle and our teeming streets. These are our Colleges whence we are to come up to this University. Here then let the *producer* and the *consumer*, the *artisan* and the *artist*, the inventor and they that reap the reward entertain good will for each other, and for each other's occupation—respect for each other's characters and opinions and rights. As all nations are but God's one family, so are the productions of the different parts of the world, and the handiwork of different parts of the human family, and their exchange, proofs that they are all children of one Father Almighty, and every man is our brother.

The Romans were accustomed to split in two and divide between themselves and foreign visitors, who shared their hospitalities, a small token called the *tessera hospitalis*, which was preserved from generation to generation in the two families who had formed this friendly alliance. It became an heir-loom to distant generations. So, fellow citizens, in this Pavilion Palace let the *tessera hospitalis* be broken, divided and borne off to the mountains, to the north and to the south, and to our transmontane homes, and far hence to the islands of the sea and to the continents beyond, to be cherished through long coming years as mementoes of kindness—relics of joyful remembrances. Let the dead beyond the floods and beyond the mountains bury their dead—if they must engage in strife and sectional turmoil, but let us not turn aside even to hear the sound thereof. We have a higher mission. We are a spectacle to the world. We have a vast coast to people and to bless with the arts of peace, and baptize with knowledge and religion. It is ours to pour the light of Eternal Truth upon the vast heathen nations that lie over against us. Let every article of art and commerce, therefore,

bought from these stalls, become as Rahab's scarf in the hands of the Knights of Jericho, to be displayed in our interior towns and cities, and throughout our valleys and mountain homes, as the ensign of peace and of mutual confidence and fraternal regards.

II. A second lesson that I read from this Industrial Exhibition, is that *there is a God, who is our Creator and actual Supreme Governor*. The idea, perhaps, prevails that there is more of God displayed in the instinct of animals than in the working of human reason and ingenuity. This I am persuaded is a great mistake. A personal, ever present, over ruling, beneficent God is as present at the quartz mill, the flaming forge, and in the machine shop as in the habitations of insects, birds and animals. It is our desire so to study the human workman and all his handiwork, as not to cast out the Divinity that is within him, but the more fully to recognize its awful presence. We would look upon man's highest art as only an approach to an imitation of the Divine art. The highest development of human genius, instead of establishing the independent perfectibility of human nature, and leading us to a cold and lifeless atheism, or dead pantheism, only proves the more clearly to us, that the *whole universe is but the hand of God put forth and made visible in space, all of whose fingers point to Himself as the Creator and Supreme and ever present Governor*. "The world," said Plato, "is God's epistle to mankind." The Apostle expresses the same idea when he says, "The invisible things of Him from the creation of the world, are clearly seen, being understood by the things that are made, even his eternal power and Godhead." Rom. I, 20. The world of trade and commerce, of art and science, is not an enemy of true religion, nor antagonistic to purity.

As human art is an imitation of the Creator's works, as the universe is His handiwork, so the flower, the cloud, the mountain, the vast ocean, and the planets,—all declare, "The hand that made us is Divine."—Even the works of imagination and fancy, that lead us captive, are the offspring of mind. The picture that has entranced thousands is Correggio or Ruben's dream made visible on canvas. The Apollo Belvidere, the Venus de Medici, or the Greek Slave, is nothing but the sculptor's evening vision carved out in marble. "The Paradise Lost," and the epic of "Achilles' direful wrath," are but the embodied communings of two blind poets with the invisibilities of genius. But the statue, the epic, the picture, are not works of chance—they were not made without design. They are but the palpable utterances of the

harmonies and beauties of Nature. Whence these harmonies and beauties, if they come not from an Ineffable Creator?

The Mechanics' Institute has constructed a spacious pavilion, to be filled with the spoils of human skill—the production of human mind. Was there no clear-eyed intelligence to survey, contrive and fashion this edifice? How has it been built? Did it grow up by chance? And will it be filled without design and toil, contrivance and skill? How then, can we think this vast universe of suns, and stars, and systems, could be created and arranged in such wondrous beauty and harmony, without a Creator? Every structure plainly implies an architect and an end in view for its erection. “For every house,” says an Apostle, “is builded by some man; but He that built all things is God.” Heb. III, 4.

Speaking with reverence, I would say, the Mechanics' Institute is an incarnation of thought—of thought made visible in method and order. How much more then, does human thought itself, and the world and all that in it is, prove the existence and goodness of the

—— “Father—omnipotent,
Immutable, immortal, infinite,
Eternal King; author of all being,
Fountain of light.”—*Paradise Lost*, Book III, 372, etc.

If this vast material universe bears witness to the existence of the great Creator, how much more does the soul of man—in whose spiritual and moral powers exists the Divine image and similitude, bear testimony to the being and attributes of God? If the whole physical frame and its contents are but an illuminated volume of the Creator's exposition of His thoughts and works, then how clearly does man's intellectual powers and religious susceptibilities argue his divine origin? The great or beautiful that is in man's imagination, and the curious, elegant and admirable of every sort of mechanism, that we see in his hand, fashioned according to the type within him, runs back and upwards to the infinite, ineffable, great first cause.

III. *A third lesson from this Industrial palace is that man is not a filibuster on this planet's mountains and valleys, nor in the mines and workshops of nature.* He has a divine charter and a patent from heaven, located and surveyed, and he is actually put in possession of his domain by the absolute sovereign himself. All nations, I believe, in some sense or other, have agreed that agriculture and the arts and sciences are from the gods. Lucretius tells us that Ceres taught mortals how

to produce fruits, and Bacchus taught them how to cultivate the vine, (V. 14.) The same idea is to be found in the poet Aratus, who says Jupiter taught men to hold the plow, (Phenom. V,) and in many of the ancient classics. "The Most High hath ordained husbandry," saith the son of Sirach, (Eccles. VII, 15.) The knowledge of husbandry and of the implements for thrashing out the corn, saith the prophet, are "from the Lord of Hosts, who is wonderful in counsel and excellent in working." And as to the sowing, plowing and reaping, "his God doth instruct him to discretion, and doth teach him." "And I," saith the Lord to Moses, "have called by name Bezaleel, the son of Uri; and I have filled him with the spirit of God, in wisdom and in understanding, and in knowledge, and in all manner of workmanship, to devise cunning work, to work in gold, and in silver, and in brass, and in cutting of stones, and to set them, and in carving of timber, to work in all manner of workmanship. And I, behold, I have given with him Aholiab, the son of Ahisamach; and, in the hearts of all that are wise-hearted I have put wisdom, that they may make all that I have commanded thee." The Creator made man to invent, apply, and manufacture, and use the resources of the earth. Even before there was any sin, man was the divinely appointed keeper of the garden. He was set to dress it. And after the fall, he is still invested with dominion over the earth, and all that dwell therein. The farmer, the mechanic, the designer and manufacturer, the engraver and draughtsman, the worker in metals, and the miner searching for the precious ore, and the worker in wood, stone and every sort of raw material,—all accomplish their several operations in virtue of ability which God has given them.

The powers of the body and the faculties of the mind are gifts from above. The Divine Charter to man is: "Have dominion over the earth and subdue it." In appropriating the treasures of the earth to himself, therefore, with due regard to the rights and privileges of his fellow man,—he is not guilty of trespassing upon another's territory. For the earth is the Lord's and the fulness thereof, and He hath given it to man. He has a divine commission and Heaven-descended patent to eat his bread by the sweat of his brow—to bring it out of the earth—to speak by electricity and paint by light, to travel by steam, and grind his corn by the same element, to light his streets by gas, and build him houses and cities of clay, stone and marble—to

turn shapeless masses into forms of beauty; to make thread and cloth out of cotton, wool and flax; and of bark and rags materials for writing, and to make metal fonts to speak—to imitate, in a word, the processes of nature; bring music from brass and wood, create poetry and philosophy, and bring up history from the depths below; obtain from God's earth necessities, conveniences and luxuries;—save human labor, quicken it, facilitate it; convert, multiply and preserve the riches of the earth—obtain the quickest means of communication and motive. “When we get at the secrets of Nature and expound them; when we lay hold of the powers of Nature and employ them; when we take possession of the riches of nature, and dispose of them; when in the temple of this earth, we take our place as priests and as ministers; then industry performs its mighty work, and fulfills its high destiny; then man is obedient to the primitive commission, “Have dominion over the earth and subdue it.”*

IV. Man's relationship to the Supreme Being—the commission he bears with him into this world from above—his likeness to his Creator, all proves the *immateriality of his mind, and implies his immortality*—a future estate of reward and punishments, where the account between the Creator and his creatures will be finally settled up,—probation implies retribution. Man's present occupancy as a tenant at will on this planet, plainly intimates a retribution to come.

The simple fact that the compartments of the Pavilion are divided, and its contents to be classified, is a triumph of art and science, and proves the controlling presence of intellect. Let us borrow an illustration from geology, showing how we may apprehend the presence and existence of mind from matter. The geologist says that the inorganic and organic progressed through long ages of our planet's history, until the climax was reached in the age of Man, and that science thus *prophesied* the fact of the existence of mind, and that the present mode of the earth's existence was prepared beforehand for Man's advent upon it, just as the body of man was made for the soul, and then his soul was breathed into it by the Almighty. Earth's records teach, then, that it was fitted up by “the Infinite mind for the development of the finite mind; and that the human face is not better suited for the outflow of the spirit within, than the earth's appointments for man's edu-

*The whole paragraph is abridged from Mr. Martin's *Useful Arts*—p. 33.

cation as an intellectual and moral being.”* The more perfectly the operations and powers of nature are apprehended, the more clearly has the revelations of science developed the existence of an Infinite mind, above nature. As we know of no law by which matter can be converted into mind, so we naturally rise by a single thought from nature to God. And our apprehension of the Supreme being and actual Governor of the Universe, as made known to us is, that He is “infinite in wisdom, power, and love, and a moral Governor.” And that “Nature is a progressive work from the beginning, through successive original creations by God, and laws and ordained free-working forces kept in action by his presence.” “He who established the forces of matter and their laws, still, by his power, keeps those forces and laws as they were established, and so nature pursues his work while acting under inherent qualities—carrying forward her own work.”

In catching a glimpse of man’s immortality from the exhibition of his handiwork, we speak not of his conscience—of his capability of knowing and serving the creator; nor do we now consider his social affections, moral feelings, and religious capacities. We are looking only at the presence of mind, and its similarity to the Infinite mind, and the longing of man’s mind for immortality. The works of the creation seem to us to be designed by the Infinite for the coming forth and progress of *finite mind*. But wherefore this *lifting up* of man—this eternal struggling to get up to a higher sphere—this excelsior tendency of his inmost soul? Is it not the deep, though dim consciousness of a higher existence that prompts the artist to task his powers to conceive and execute what may approach nearer to his ideas of a brighter bliss than earth now affords? It cannot be that there is no difference between the breathing picture, and him who held the pencil—between the almost speaking marble, and him who held the chisel. It cannot be that the artist expires when his workmanship ceases. It cannot be that one possessed of unbounded capacities for improvement is destined to advance only a few steps in his proper career, and then be arrested forever. It cannot be that a life of thought and feeling, which contains the germs of higher thoughts and feelings, awaiting, as essential to their full development, other influences than those that are had on earth, is to be succeeded by eternal unconsciousness and obliv-

* Prof. Dana on Geology, in the Bibliotheca Sacra, p. 443, for July, 1857.

ion. It cannot be that a soul which finds in the present life a range too narrow for the full, vigorous scope of its powers and feelings, is to be disappointed in its earnest longings and deep-seated hopes. Such a supposition involves us in greater difficulties than the mysteries connected with immortality. The Infinite and ever blessed Creator has not constructed a portico to a magnificent temple, and then stopped short in his work, and broke it down, and scattered its beauty in the dust. And if the earth and its fulness of beauty is but a single expression of the Divine goodness, what must that fountain be of which all the choice thoughts and beautiful imaginings of the greatest and best men are but as drops to the ocean! What must that glory be that eye hath not seen, nor human heart conceived!

V,

And lastly, *Gratitude to our Heavenly Father and obedience to His will.*

“I confidently hope,” said Prince Albert, in opening the Crystal Palace of Hyde Park, “I confidently hope that the first impression which the view of this vast collection will produce upon the spectator, will be that of deep thankfulness to the Almighty for the blessings which he has bestowed upon us here below.” We are told that when Pythagoras succeeded in demonstrating the geometrical proposition that in the rectangular triangle the sum of the two lateral squares is equal to the square of the hypotenuse, that he ordered a sacrifice of one hundred oxen.

We are blest with treasures of earth and sea—we have the fruits of nature and the products of art—and what sacrifice of praise do we offer to Him who hath given us richly all these things? Do we offer the sacrifice of a thankful heart for the many discoveries and inventions of modern times? Do we thank God for the improvements by which human life is preserved, and the means of human subsistence and comfort increased? What thank-offerings have we made for the precious things of heaven, the precious things of the earth, brought forth by the sun, and the precious things of the lasting hills—and for our ships and steam presses, and telegraphs and free institutions?

To enjoy the skill and beauty of the Mechanics’ Fair more than gold is requisite. It is only an intelligent eye and a pure heart that can

really appreciate such an exhibition. How many of those who may visit this exhibition will feel and acknowledge the presence of Him "in whom we live, and move, and have our being." How many will look through the works of man, which are but poor imitations of the art of the Eternal, and say from an overflowing heart, in the words of the poet, as they behold his works :

" These are thy glorious works, Parent of good !
Almighty ! Thine this universal frame,
Thus wondrous fair. Thyself how wondrous then !
Unspeakable, who sittest above these heavens,
To us invisible, or dimly seen
In these thy lowest works. Yet these declare
Thy goodness beyond thought and power divine."

Truly, my brethren, may we say with the Psalmist :

" The earth is the Lord's, and the fullness thereof,
The world, and they that dwell therein.
The Lord is good to all,
And His tender mercies are over all His works.
The eyes of all wait upon Him,
And He giveth them their meat in due season.
He openeth His hand,
And satisfieth the desire of every living thing.
My mouth shall speak the praise of the LORD,
And let all flesh bless His holy name forever and ever."

French Interference in Mexico.



S P E E C H

OF

HON. J. A. M^CDOUGALL,

Of California

IN THE

SENATE OF THE UNITED STATES,

On Tuesday, February 3d, 1863.



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1863.

S P E E C H .

The Senate having under consideration the resolutions submitted by Mr. McDougall, on the 19th of January last, concerning our relations with France and Mexico—

Mr. McDougall said :

Mr. PRESIDENT: I should have preferred to have had the resolutions to which I now call the attention of the Senate presented by some older Senator than myself, and particularly by some Senator whose relation to the Administration at present in authority would have secured to the subject of the resolutions a more general and careful consideration. I have, however, been compelled to think that gentlemen have purposely and persistently shut their eyes to the position France has assumed, not only towards Mexico, but towards this Government; and it is only after grave consideration, impelled by the strongest sense of duty, that I have asked of Congress the expression of its opinion on the subject.

I assure Senators that I have not presented these resolutions with any partisan purpose. I have not the shadow of a disposition to assault those to whom first and most immediately belongs the initiative in this business. It is perhaps true that special circumstances, and the more immediate concern of our people on the Pacific coast in the movements of France, furnish reasons why I should have watched French policy more carefully, and why I should feel more alarmed at its development, than most of those belonging either to the executive or legislative departments of the Government.

I do not hope to present all the facts and considerations that move me to my conclusions; if time permitted, the subject embraces too wide a field for any mere oral discussion. The most I have promised to myself has been to call the attention of Congress and the Government to the subject, and secure that consideration and action which I believe have been much too long delayed.

I have affirmed in these resolutions that the movement of France against Mexico is in violation of the known and recognized rules of international law, in violation of the treaty made at London between England, Spain, and France, in violation of repeated assurances given by France to this Government; and I now further affirm and will endeavor to satisfy the Senate that both the treaty and the assurances of which I speak were made on the part of France with the definite purpose of misleading and deceiving this Government; that they were designed as

a fraud upon us, and that we have been misled, deceived, and defrauded to the very point of jeopardy by the Machiavelli who is now Emperor of the French.

What I have affirmed I shall now proceed to maintain as briefly as I find possible. I have said that this movement of France upon Mexico is in violation of the rules of international law. The true right and the extent of the right of France is briefly and well stated in a letter written by our minister at London to Mr. Seward, dated November 1, 1861, in which he says:

"There can be no doubt that, as it regards Europe, the voice of all the independent American nations is the same. They want no dictation, nor any resumption of their old relations. If they fail in performing their honest engagements, they make themselves liable in their property, but not in their persons or their political rights. Any attempt to transcend that broad line of distinction is a mere appeal to force, which can carry with it no obligation one moment beyond the period when it may be successfully overthrown. And the principle is broad enough to make the maintenance of it in one country equally the cause of all the rest."

It is unnecessary to elaborate the views expressed by our minister. The attempt in this civilized age, in this age of law, to make war upon and to overthrow a weak Government under the pretense of enforcing the payment of a money debt, is one that would not be dared by any other person than the dark, ambitious, and unscrupulous head of the French Government.

The terms of the treaty made at London are, I presume, familiar to Senators. Permit me, however, to call their attention to the second article; it reads:

"ART. 2. The high contracting parties bind themselves not to seek for themselves, in the employment of the coercive measures foreseen by the present convention, any acquisition of territory, or any peculiar advantage, and not to exercise in the subsequent affairs of Mexico any influence of a character to impair the right of the Mexican nation to choose and freely to constitute the form of its own Government."

It was understood that if Mexico did not to the extent of her reasonable ability adjust and provide for the respective claims of the three Powers, they would seize upon so much of the impost revenues of Mexico as would satisfy their demands. Further than this neither England nor Spain undertook to go; when France developed a policy foreign to this purpose they protested and withdrew. France, having used England and Spain to disguise her purposes, cover her landing, and establish her footing in Mexico; having committed England and Spain to what in them was folly but in France was ambition, the French movement is immediately changed into one of conquest and dominion.

That this attempt at conquest is a violation of the treaty of London and the assurances given to this Government, is a truth admitting of no discussion; but more than this; for it there is no shadow of justification or excuse. The fact is patent that this course France had determined on from the first; France had been dealing falsely with the allies and had dealt falsely with us; when the time was ripe she uncloaked herself, showing the brigand from top to toe.

And now, Mr. President, before entering upon particulars, and that the course of my remarks may be better understood, and as it is sufficiently understood that

it was not a pecuniary enterprise that led France into Mexico, I will state what I understand has induced this flagrant outrage upon public law, pledged faith, and the rights of a neighboring republic, and what I understand to be the programme of France, so far as it can be understood from what we know. The present constitutional government of Mexico is to be overthrown. Almonte, or some other instrument of French authority, is to be made temporary chief of the republic. France is to claim of the Government thus represented \$27,000,000, together with the expenses incurred in the prosecution of the present war, say \$100,000,000 more. Mexico has no means with which to pay this or any such amount. France will take territorial indemnity; that is, the Isthmus of Tehauntepec and the adjacent territory, the States bordering on the Rio Grande, Lower California, Sonora, and Sinaloa. This accomplished, the temporary chief, with the aid of what is known as the Church party in Mexico, supported by the bayonets of the French Emperor, will pronounce an Austrian prince Emperor of the Mexican people under the protectorate of Austria and France. This done, and while this is being done, France will confederate with the rebellion in the South. Even now I do not doubt such movement is in progress, if not consummated. She will then directly seek the possession and control of the territories south and west of the Mississippi river. It will not be long before the front of an undisguised enemy will be exhibited to this Republic; and simultaneous with that will be the attempt to seize upon all there is of our Republic on the shores of the Pacific. With the possession of the northern Pacific States of Mexico, and California and Oregon, together with the other possessions of France in the Pacific and the Indian ocean, she aims at the command of the ancient East, that vast country the exhaustless wealth of which has built up successively the richest and most powerful States of Europe, and to but a portion of which Great Britain is chiefly indebted for her ascendancy both on sea and land, India has been the prize of many States. China is now the great prize of the nations. The three great Powers, Russia, France, and England, like three giant birds of prey, have been long hovering over that fated nation, watching each other and watching it. France would be strong upon the Pacific, that, if she cannot seize all, she may at least divide the prey.

In the time of the Cæsars in the city of Rome was accumulated a great part of the wealth of the known world. The unparalleled luxury of the Roman patriicians of the first few centuries of our era took from Rome and the luxurious cities of the Mediterranean their gold and silver, much of which by caravans passed to India, and through India to China, then known as the land of silks; and while it is said that Nero had his house of gold, yet as early as the fifth century Rome was destitute of the precious metals. The precious metals, the moment they passed into the territories of China, remained and continued a part of the fixed possessions of the country. At the extreme of the world, holding all the rest of mankind

barbarous, she only communicated with them to dispose of such things as in exchange for gold and silver would add to her wealth. The precious metals they never parted with; so that for at least eighteen centuries this process of accumulation has been continued. There is probably more gold and silver in the forms of moneyed wealth now in China than in all the States of Europe and America combined.

It is not strange that France should regard China with an avaricious eye. The French Emperor needs some such spoil as this to sustain his young authority and support his vast ambition. To accomplish this result, he needs a commanding position on the Pacific. He appears to be in the way of obtaining it, with our consent and at our sacrifice.

I have advanced these opinions as the general policy of France rather out of the regular line of argument; but thinking, perhaps, that from this statement the facts I shall present may be more readily applied.

I will now recur more directly to the questions presented by the resolutions. I have charged that the French Government gave us false and fraudulent assurances as to the intention of that Government toward Mexico.

It seems there was some anxiety felt by this Government on the subject of the movement of the allies. Our ministers at Paris, London, and Madrid were instructed to inquire as to the intention of the several Powers. In pursuance of instructions, Mr. Dayton called upon M. Thouvenel, French Minister of Foreign Affairs, and under date of September 27, 1861, Mr. Dayton writes Mr. Seward:

"He [M. Thouvenel] assured me, however, that whatever England and France might do, it would be done in reference to realizing their money debt only, and that they had no purpose whatever to obtain any foothold in Mexico, or to occupy permanently any portion of its territory. He repeated this with emphasis. He furthermore stated, explicitly, that should Spain come in, as one of the Powers acting in concert with France and England, for her claims, it would be with a distinct understanding that she, too, should not attempt to hold any part of the territory. I was somewhat particular in my inquiries upon this point, because I could not forbear the belief that Spain might look to a reassertion of her former rule over Mexico or some part of it."

Here is a distinct assurance to the Government of the United States through its accredited minister, that France would do nothing more than assert her claim for her money debt. Again, on the 31st of March, 1862, in a letter from Mr. Dayton to Mr. Seward, he gives an account of another conversation on the subject with M. Thouvenel:

"I then referred M. Thouvenel to your dispatch (No. 121) in reference to the action of the allies towards Mexico. He said France could do no more than she had already done, and that was to reassure us of her purpose not to interfere in any way with the internal government of Mexico. That their sole object was to obtain payment of their claims and reparation for the wrongs and injuries done to them."

Other assurances of a similar nature were continued to be given from time to time, evidently satisfying our amiable minister at the French Court, that Louis Napoleon was the most innocent and harmless man alive.

And now that our right to proper and truthful assurances may be well understood, I will call the attention of the Senate to an official correspondence between this Government and that of France, in 1826, during the Presidency of Mr. Adams, and while Mr. Clay presided over the State Department, Mr. Brown our minister at Paris, and M. Damas French Minister of Foreign Affairs. Our minister, in writing to Mr. Clay, states a conversation with the French minister, as follows :

"I then, in the most delicate and friendly manner, alluded to the French squadron which had appeared in the West Indies and on the American coast last summer, and stated that my Government would expect that, in case France should again send out a naval force disproportionate in the extent of its armament to the ordinary purpose of a peace establishment, its design and object should be communicated to the Government of the United States. The Baron de Damas answered, that the vessels comprising that squadron had been stationed at different places, where the number on each station was not more than sufficient for the service of protecting French commerce and their West India islands; that it had become necessary definitely to settle the relations between France and St. Domingo; that this squadron was hastily collected for that object, and that the nature of the service required secrecy. He said that it was not only right in itself, but had been customary with the French Government to communicate to friendly Governments, in time of peace, the objects of considerable fleets sent on distant service; that the peculiar circumstances in the instance I had alluded to had occasioned a departure from the rule, but that, in future, the United States should be duly apprised of the objects of every such squadron sent into their vicinity."

This was the policy of Mr. Adams and Mr. Clay, akin to the doctrine proclaimed by Mr. Monroe in 1823. In a letter to Baron Damas, Mr. Brown says :

PARIS, *January 2, 1826.*

"Sir : In the month of July last I had the honor to state to your excellency, with the utmost frankness, the views of the President of the United States in relation to the Spanish islands of Cuba and Porto Rico. I informed you that the United States could not see with indifference those islands passing from Spain to any other European power; and that the United States desired no change in their political or commercial condition, nor in the possession which Spain had in them. In the conference with which your excellency honored me on this day, I repeated the same assurances, and added, in a spirit of friendship, and with a view of guarding beforehand against any possible difficulties on the subject which might arise, that my Government could not consent to the occupation of those islands by any other European power than Spain, under any contingency whatever."

Was this a declaration of war? The French Minister of Foreign Affairs was told distinctly that this Government would not consent to the exchange of the authority of Spain for that of France or any other Government over Cuba and Porto Rico.

It was, then, the right of this Government to be informed, and to be truthfully informed, as to the purposes of France in Mexico; and nothing but purposes hostile to this Government can be inferred from deceitful and false representations. This right in us France admits; it follows France has purposely wronged us; France is hostile.

And now, Mr. President, as to the particular proof of the original bad faith of the French Government. I am inclined to think my assertion sufficiently sustained by the recently published letter of the French Emperor to General Forey, to be found in the morning papers, and which I shall read now, as having peculiar point in it so far as we are concerned. I will read his language :

"There will not be wanting people who will ask you why we go to lavish men and money for the establishment of a regular Government in Mexico. In the present state of the civilization of the world the prosperity of America is not a matter of indifference to Europe; for it is she who feeds our manufactories and gives life to our commerce. We have an interest in this, that the Republic of the United States be powerful and prosperous; but we have none in this, that she should seize possession of all the Mexican Gulf, dominate from thence the Antilles, as well as South America, and be the sole dispenser of the products of the New World."

France makes war to restrain our progress; she makes war upon a sister republic bordering upon our weakest and most valuable possessions; and I am told no voice must be raised here, either of warning to France, of sympathy for Mexico, or for counsel among ourselves. For myself, I will, for one, raise my voice not merely to warn, but to denounce, and I here denounce the proceedings of France as the most flagrant robber outrage that has been attempted by any modern civilized State; an outrage that challenges the condemnation of every other civilized State, and demands our interference; and if what I have to say fails at the present moment to reach the ears of those to whom I most immediately address myself, I will still trust it may be heard when there is some power and will in this Government to maintain the right.

It will require no skill in argument to justify any form of denunciation against France. She has made the truth of her own falsehood and wrong so patent that it cannot be disguised.

The relations of Almonte, the Mexican refugee, to this Government must be well known. As the confederate of Slidell and Mason, and as one of the conspirators in Europe against the integrity of the Union, he has played a conspicuous part. He is well known to have been a bitter enemy of this Government ever since he was made prisoner at the battle of San Jacinto. Driven from Mexico in 1857, he visits Europe to engage foreign arms in the overthrow of the constitutional Government of his country. To the Government of Spain he proposes the re-establishment of Spanish authority in Mexico. To Louis Napoleon he proposes the establishment of a monarchy under French protection. A shrewd and adroit politician, he secures a favorable hearing at both the courts of France and Spain. Spain dreams of her old dominion. France projects an Austrian alliance. The third Napoleon has a notion similar to that of the first Napoleon—an Austrian alliance, to be confederated with the oldest dynasty in Europe; to unite herself with the Power to which belongs the iron crown of Charlemagne; to join in firm alliance with the first Catholic Power in Europe. Such motives and such ambition drove Josephine into widowhood, and perhaps Napoleon I into exile, and it is not beyond the range of possibility that the present emperor may find that in this his ambition has overleaped itself.

That the French Emperor undertook from the first to overturn the present Government and establish Maximilian upon a throne in Mexico is now openly avowed. In furtherance of this and other views, Almonte was taken under

French protection; but for his illness at the time he would have sailed with the French fleet. On his arrival in Mexico, he was escorted by French troops into the interior, against the remonstrances of the representatives of both the Spanish and English Governments. Under the protection of French bayonets, he had himself proclaimed chief of the republic. He was made, by the French authorities, the instrument to excite domestic revolution in aid of the arms of France. These facts appear in the diplomatic correspondence of this Government in relation to Mexican affairs furnished by the Secretary of State to this Congress. The same protection was afforded to the Padre Miranda, and was attempted in favor of Miramon, and would have been effected but for the violent interference of the English admiral. These facts are sufficient to prove that France designed overturning the existing Government, and purposed to deceive this Government by assurances to the contrary. But the climax of French outrage is to be found in the false and fraudulent pretexts set up by France as the justification of her proceedings.

The entire moneyed claim which France had any right to set up against Mexico amounted to but \$190,000. A Swiss banker by the name of Jecker, by a fraudulent arrangement with the French minister resident in Mexico and Miramon, then the insurgent chief in possession of the capital, advanced to Miramon \$750,000, for which Miramon caused to be issued \$15,000,000 of Mexican bonds. The full payment of the \$15,000,000 was one of the peremptory demands of the French Government. France made a further claim of \$12,000,000 on general account, without item or specification, for wrongs done French citizens. The representatives of England and Spain protested against these claims as without the shadow of justice. England and Spain asked only a fair adjustment of actual claims, and a reasonable provision for payment. France not only demanded the \$27,000,000, but whatever she might choose to claim as indemnity on account of her military operations. France demanded, and knew she was demanding, not only what was unjust, but what Mexico could not by any possibility perform. The English representatives consulted with the home Government, and the English Government remonstrated with the French. But the French Government persisted. Great Britain and Spain withdrew from the alliance, settled amicably their claims on Mexico, and withdrew from the Mexican territories, leaving France alone to pursue her long-determined scheme of conquest.

The outrageous nature of the French claim exhibited against Mexico can best be understood from an examination of the French ultimatum presented to the allies, and which first opened their eyes to the duplicity of the French Government. This ultimatum will be found in the English Blue Book, sent by the Queen to Parliament, in which the correspondence relating to this subject is much more full than in the correspondence furnished to Congress.

I call the attention of the Senate to this paper. It exhibits an outrage too great

to be characterized. It not only offends the common sense of justice of mankind, but deserves execration every where and by all men. There is a further strange fact about this ultimatum. It appears to have been presented to the English and Spanish representatives, and when repudiated by them, without any demand in fact upon Mexico, or any effort at adjustment, France prepares for war. I will read the entire paper, for I wish this Government and people to understand the character of this Emperor of the French and his Government; what Mexico may expect, and what we too may expect, if his power proves equal to his will for mischief.

"The undersigned, representatives of France, have the honor, as stated in the collective note addressed this day to the Mexican Government by the plenipotentiaries of France, England, and Spain, to draw up as follows the ultimatum of which they have received orders in the name of the Government of his Majesty, the Emperor, to demand the pure and simple acceptance by Mexico—

"ART. 1. Mexico engages to pay France a sum of \$12,000,000, at which amount are calculated the total French demands consequent upon events which have occurred up to July last, with the exceptions stipulated in articles two and four below. As regards those events which have taken place since the 31st July last, and of which a special reservation is here made, the amount of the claims against Mexico, to which they may give rise, will be fixed hereafter by the plenipotentiaries of France.

"ART. 2. The sums still due under the convention of 1853, which are not included in article one above, shall be paid to the rightful claimants in the form and allowing the terms of payment stipulated in the said convention of 1853.

"ART. 3. Mexico shall be held to the full, loyal, and immediate execution of the contract concluded in the month of February, 1859, between the Mexican Government and the firm of Jecker."

That is, they shall be held to a full and immediate payment of \$15,000,000, for which Miramon only had received \$750,000, by a fraudulent contract between himself, the French minister, and Jecker.

"ART. 4. Mexico is pledged to the immediate payment of the \$11,000 forming the balance of the indemnity which was stipulated for in favor of the widow and children of M. Ricke, Vice Consul of France at Tepic, assassinated in October, 1859.

"The Mexican Government shall further, and according to the obligation already contracted by them, deprive of his rank and appointments, and punish in an exemplary manner, Colonel Rojas, one of the assassins of M. Ricke, with the express condition that Rojas shall not again be invested with any employment, command, or public functions whatsoever.

"ART. 5. The Mexican Government also engages to search out and to punish the authors of the numerous murders committed upon Frenchmen, and especially the murderers of M. Davesne."

Observe, it is stated generally, "numerous murders,"

"ART. 6. The authors of the attacks committed on the 14th of August last against the minister of the Emperor, and of the outrages to which the representative of France has been exposed in the first part of the month of November, 1861, shall be subjected to exemplary punishment; and the Mexican Government shall be bound to afford to France and to her representative the reparation and satisfaction due by reason of these deplorable excesses."

No such attack had, in fact, been made. They deal in general terms, and the reason why they deal in general terms is more patent from an examination of all the various provisions of this ultimatum :

"ART. 7. In order to insure the execution of the above articles five and six, and the punishment for all the outrages which have been or which may be committed against the persons of the Frenchmen residing in the republic, the minister of France shall always have the right of being present, whatever the case at issue, and by such representative as he may designate for that purpose, at all proceedings instituted by the criminal courts of the country.

"The minister shall possess the same right with regard to all criminal prosecutions instituted against his countrymen."

No criminal court can sit in Mexico for all time to come without a representative of the French Government on the bench. This is worse than the Austrians in Venetia.

"ART. 8. The indemnities stipulated in the present ultimatum shall bear a legal annual rate of interest of six per cent., to date from the 17th of July last and until their complete payment.

"ART. 9. As a guarantee for the accomplishment of the financial and other conditions laid down in the present ultimatum, France shall have the right of occupying the ports of Vera Cruz, of Tampico, and such other ports of the republic as she shall think fit; and of there establishing commissioners designated by the imperial Government, whose duty it shall be to take care that those Powers which have a legal claim shall receive such funds as are to be levied for their benefit on the produce of the maritime custom houses of Mexico, in fulfillment of the foreign conventions, and that French agents shall receive those sums which are due to France."

That is, France may occupy every port of Mexico.

"The commissioners in question shall, besides, be invested with the power of reducing, either by one-half or in a smaller proportion, according as they may judge advisable, the duties at present levied in the ports of the republic."

That is, they may reduce the duties to a nominal sum, postpone the payment of this debt forever, hold Mexico in a sort of peonage, commanding all her seaports, and, in fact, having her in absolute possession.

"It is expressly understood that merchandise which has already paid import duty shall in no case and on no pretext whatsoever, be subjected by the supreme Government or by the State authorities, to any additional custom duty, inland or otherwise, exceeding the proportion of fifteen per cent. on the duties paid on importation."

That is, France, having seized on all revenue derived from duties on imports, prevents Mexico from imposing any internal revenue on whatever foreign goods may be introduced, and can at her will break down all Mexican manufacturers.

"ART. 10. All measures which shall be judged necessary for regulating the apportionment among the parties interested of the sums levied upon the produce of the customs, as well as the manner and the periods of the payment of the indemnities above stipulated, as also for guarantying the execution of the conditions of the present ultimatum shall be framed in concert with the plenipotentiaries of France, England, and Spain."

This shows the character of that French faith in which it seems our minister at Paris and our Government here have so implicitly trusted. With such a demand insisted upon by the French Government, and which is used only to drive off the allies, and is not even presented to Mexico; with such perfidy not only exhibited toward Mexico, but also toward ourselves, what may we not anticipate from France? We can anticipate nothing less than war. I insist that she is waging

substantive war upon us now. It requires less than a prophet to predict open war the moment France has completed the required preparations for the onslaught.

Mr. President, I think I may be permitted to say that it is somewhat strange we should be found furnishing facilities to France to aid her in subjugating Mexico, while, at the same time, we have denied to Mexico like facilities. I do not understand it. It is said Mexico wants arms: France transportation. We cannot afford to part with arms. Let me ask, does not this Government require transportation as much as arms? If I am correctly informed, we have quite as great a demand for mules as for muskets to carry on our operations against the rebels.

Before proceeding further, however, in connection with the French ultimatum, I will refer to the Blue Book for a letter from Earl Cowley, at Paris, to Lord Russell, as to how the claims on Mexico were to be adjusted. It is of a piece with the ultimatum. Repeating his conversation with M. Thouvenel, Earl Cowley says:

"His excellency [M. Thouvenel] took this occasion to say that he could not consent to the appointment of a mixed commission, as had been suggested at one of the conferences at Vera Cruz, to arbitrate upon the demands of the three Governments; but he could not be averse to a proposal emanating from M. de Saligny, that a French commission, consisting of the French secretary of legation, the French consul at Vera Cruz, and a French merchant, should decide upon the merits of French claimants. If, after inquiry, it should be found that the aggregate amount of claims admitted by that commission was less than \$12,000,000, of course that sum would be diminished in proportion."

The \$12,000,000 of claims were not to be referred to any mixed commission, as an English and a French commission for example, but to three persons named: the secretary of Minister Saligny, who had been mixed up in these claims, the French consul at Vera Cruz, under his control, and a French merchant also under his control. This was the way in which justice was to be administered to Mexico at the point of French bayonets.

"I asked M. Thouvenel why M. de Saligny should not pursue the course adopted by Sir Charles Wyke in his project of ultimatum, and be satisfied with an engagement on the part of the Mexican Government, that all just claims not yet sent in should be paid. It must be admitted that M. Thouvenel's answer admits with difficulty of reply. What reliance, he asked, could be placed in any engagements of the kind after the experience which the allies had of Mexican faith? But I observed you must in some way or other trust a Mexican Government, for you do not suppose that the country is rich enough to pay off at once all the demands already made upon it, to say nothing of those which you have in store. Do you mean to remain there until every farthing shall have been paid? Our conversation terminated by M. Thouvenel observing, that while the Governments were discussing at home, events were marching in Mexico, and that it was very difficult to send instructions relating to matters which had occurred two months before the comments on them could be read."

This discussion is too plain to afford room for comment.

The *chargé d'affaires* of Mexico in Washington, in complaining to our Government of the attitude and course of this Government toward France and Mexico, is informed by our Secretary that he was not advised that war existed between France and Mexico. I desire to call the attention of the Senate to a letter written

more than a year since by our minister at London to Mr. Seward. Mr. Adams writes :

"You will doubtless have had your attention drawn before this time to the course which the Mexican intervention is taking. On the reception of the news of the landing of the Spanish force and its occupation of Vera Cruz, the announcement is made of the outfit of a French force designed to follow up the advantage. It is no longer concealed that the intention is to advance to the capital, and to establish a firm government, *with the consent of the people*, at that place. But who are meant by that term does not appear. This issue is by no means palatable to the Government here, though it is difficult to imagine that they could have been blind to it. Feeble murmurs of discontent are heard, but they will scarcely be likely to count for much in the face of the obligation under which the action of the Emperor in the Trent case has placed them. The military occupation will go on, and will not cease with the limits now assigned to it. It is not difficult to understand the nature of the fulcrum thus obtained for operations in a new and a different quarter, should the occasion be made to use it. The expedition to the city of Mexico may not stop until it shows itself in the heart of the Louisiana purchase."

This letter was certainly a word of warning to our Secretary. The English Blue Book, to which the Secretary must have had access, shows that the French authorities regarded it as war from the time of the landing at Vera Cruz. This they have long since avowed. The letter of the minister is full of warning as to what is French policy. It would be well if Senators would carefully consider the substance of this letter. What with him was opinion has already proved to be fact, to the extent of the attempt by French officials, the representatives of the French Government, to obtain Texas by negotiation, with the Texan authorities in rebellion. The letter of our minister has the sound of different metal from the reply of our Secretary, who says ;

"I shall carefully observe the progress of affairs in Mexico. If, indeed, our own Union were likely to fall, and the southern portion of the United States were to pass under a European protectorate, we could have small ground to hope that we could save Mexico from European reconquest and subjugation."

Again, taking counsel of his fears :

"But with reassurances of our own safety, comes up to us an absolute confidence that no part of the continent will lose republican institutions and self-government."

This is a strange letter in the presence of the warning of Mr. Adams and the facts already developed in Mexico. That France designed the establishment of a monarchy in Mexico was understood in diplomatic circles throughout Europe, and was common tea-table gossip throughout the United States. It had been particularly stated in the English Parliament, and was not in terms denied anywhere. I have before me a work, entitled "Mexico in 1861-62," by Mr. Lempriere, an English gentleman, in which is quoted a part of a debate in Parliament on this subject. This subject is one that may be debated in the British Parliament, but not in the American Senate. In the House of Commons, Mr. Fitzgerald remarked :

"Had her Majesty's Government no warning of those views being held by the French Government? M. Thouvenel, in one of his despatches, said : 'We do not wish to inter-

ferre; but we think that the presence of our forces there will give that moral support to the monarchical feeling which we believe to exist, and that there will be a chance and opportunity for the establishment of a new and regenerated Government.”

Mr. Fitzgerald in complaining that before the treaty of London England was advised of the policy of France to establish a monarchy, at least to reorganize the Government in Mexico. He goes on to say :

“It was idle to say, when Almonte was constantly coming to this country, and communicating with the Government and with public bodies, and after the language of M. Thouvenel—it was idle to say that the Government had not a distinct warning that it was the intention of the French Government to interfere in the internal affairs of Mexico, and possibly to establish a new form of Government.”

I will now leave the question as to what this Government should have known, and return to the subject of French faith, as I wish there to be no misunderstanding as to the facts upon which I rest my conclusions. I have before me a letter from Admiral Dunlop written to Vice Admiral Sir A. Milne, under date of March 4, 1862, a portion of which I will read.

“SIR: With reference to a letter to you from the Secretary of the Admiralty, relative to a large party in Mexico being in favor of a monarchical form of government, and that there is an intention of calling the Archduke Ferdinand Maximilian to the throne, I have the honor to inform you that the subject having been mentioned to me by Vice Admiral Jurieu de la Gravière, when I first met him at Havana, I have taken every means in my power to ascertain whether there are any good grounds for supposing that any influential party in Mexico is in favor of a monarchy, and the information I have obtained from the best sources within my reach leads me to suppose that the only party in Mexico at all in favor of a monarchy is the Church party, and that merely because it sees no other prospect whatever of regaining influence with the Mexican people.

“2. The Church party embraces all that is bigoted and fanatical in the country, and is therefore retrogressive in policy and at variance with the spirit of the age; and it is detested by a great majority of the people, who are in favor of a liberal policy.”

I read this that it may be understood what were the views of an English monarchist in regard to the true sentiments of the Mexican people, and to show whether or not it is true that the Emperor Napoleon III is in fact lending aid to the majority of that people for the purpose of establishing a firm Government. Now, let me read from a letter of Earl Russell to Sir Charles Wyke, on the same question, as to the policy of the French Government :

“The difference which has arisen between the French Government on the one side, and the British and Spanish Governments on the other, is greatly to be deplored; yet it is to be remarked that it is a difference rather as to facts than as to principle. The French ambassador, by order of his Government, signed most willingly the convention of the 31st of October, by which the allies pledged themselves not to interfere with the right of the people of Mexico to choose their own form of government. But the emperor and his Government appear to be persuaded that the name of Ferdinand Maximilian put forth by General Almonte, will produce a general burst of enthusiasm in Mexico, and a universal adhesion to that prince in the provinces. Now, either this is an error, or it is not.”

* * * * *

“The only apprehension of a serious kind which I entertain is, that the French general, anxious for the cause of monarchy and of Catholic unity, may lend the aid of the French arms to the reactionary party in Mexico, and thus give fresh life to the civil war, which appears at present to have almost died away.”

When the civil war had, in fact, died away; when the regular constitutional Government was in full authority; when all the leading men of the reactionary party had been driven forth into exile, then comes the French Government, apparently with the support of England and Spain, to overturn the Government that had then the appearance of stability, and certainly had constitutional form and authority. France comes forward to overthrow that Government, and establish a monarchy in its stead. This purpose again appears more particularly from the *procès verbal* had at Orizaba, after the difference between the allies, for the purpose of preserving the causes of their several complaints and difference. I quote from the Blue Book. "The Count de Reus"—the same with General Prim, the Spanish commander—

"The Count de Reus then questions M. de Saligny respecting a personal transaction; the latter appears to have said to Colonel Menduina, Governor of Vera Cruz, and to M. Cortes, consul for Spain in the port, that the Count de Reus only found fault with the projects of Mexican monarchy in favor of the Archduke because he himself aspired to get himself crowned Emperor of Mexico; and he appears even to have declared that he possessed proof of this. The Count de Reus exclaims loudly against such an assertion, and summons his colleague to give explanations on the subject, adding that such an absurd report in the mouth of the public would not have possessed any importance, but that coming from M. de Saligny it required a serious aspect; and that, lastly, if the proofs existed of this he insisted on their production.

"The French commissioner remembers, it is true, having spoken in this sense; but he only repeated what was publicly reported."

The minister, Saligny, here admits he had stated that the only reason why the Count de Reus found fault with Maximilian, was that he, De Reus, wished to be king himself, admitting his own position and that of his Government by the very statement. It was well understood that this was French policy at an early day, and the proof of it runs through both the American and English correspondence on Mexican affairs. It is strange our Secretary could not see it. It is, then, unquestionably true that France, first averring to the world and assuring us that she had no purpose to more than collect a mere money debt due French citizens, at the same time designed, under cover of false, fraudulent, and unfounded pretexts, the subjugation of Mexico, and the placing upon a throne to be established in Mexico an Austrian prince.

I think I have done with so much of the discussion. I will now discuss what I regard as other points of French policy.

France has no country affording a home supply of the precious metals. It is otherwise with Russia, Austria, and England, as also with this Republic. France has no considerable colonial possessions to which she can direct her own emigrating population and at the same time add to the strength of France. She has no such countries tributary as are India, Australia, and Canada to England. From the time of Richelieu she has sought to build up a colonial and commercial policy, from and by which to derive wealth and strength to the central State, and during the same time to secure a country producing largely the precious metals, with a view to control both their use and direction. In the pursuit of her policies, France

has always been the most unscrupulous and aggressive of the modern European States.

What cause had France for her assault upon the Sandwich Islands, except to get the possession of a certain commanding commercial position in the Pacific ocean? What for her assault upon the natives of the Society Islands? What for her taking possession of the island of New Caledonia, when it was not her right by discovery or by any of the laws of nations? What for her aggressive war against the Annamites, the people of Cochin China? What for her outrageous assault upon the King of Siam but two or three years since? What, but a determination to get certain commanding positions without regard to right, without regard to law, but for the benefit and strength of the central Government of France? What right had France in Africa; and for what purpose, but to gratify the mob of Paris, was that brave Prince of the desert, Abdel Kader, brought from his native plains a captive, as was once a British king to grace a Roman triumph? Perhaps he contemplates making Juarez, the distinguished patriot and chief of the Mexican republic, a similar exhibition, with which to feast the eyes of French curiosity. All these several acts of invasion have been made regardless of right, without it be the robber's right; and the crime of robbery is not diminished because done in the name of kings or emperors.

I will now approach matters nearer home. The possession of the territories, now part of the United States on the Pacific, was contemplated by the first Napoleon. The French voyageurs and trappers from Canada and Louisiana, traveled, trapped and hunted from the Russian possessions in the north to the Gulf of California. Among these persons, our own mountain men, and even the Indian tribes, are still to be found the evidences of his policy. In 1839 Marshal Soult, then Prime Minister to Louis Philippe, detached M. Duflot de Mofras from the legation at Madrid, and assigned him to the legation in Mexico, with instructions to examine and report upon the value and condition of the Pacific coast from the Gulf of California north. His work was published in Paris in 1844, in two volumes. His business was to ascertain the facilities and advantages of planting French establishments upon that coast. The advantages to France for commercial purposes, particularly in relation to the prospective trade with China and Japan, in securing a position in California and Oregon, as well as the islands of the Pacific, are set forth in the strongest terms. In writing of California he says:

"It is evident to us that California may belong to whatever nation may choose to send there a sloop-of-war and two hundred men."

And again:

"Of all this vast extent of country, comprised between the equator and Behring's straits, the southern part of Oregon and Upper California form the portion which by its central position seems destined to acquire the greatest importance."

Here, what was temptation for the French King is now infinitely more tempting to the French Emperor.

In 1850 the French Government, under the pretext of disbanding and providing for a portion of the *Garde Mobile*, fitted out and sent to California a large body of these experienced soldiers, who were immediately taken under the protection and patronage of M. Dillon, then French consul at San Francisco. The heavy emigration of our own people from this side of the mountains was not then anticipated by France. The political nature of this movement has been well understood in California. A large body of experienced French veterans, supported by a large French emigration, an emigration favored by the Government of France, under the management of the French representative, a man of consummate address and talent, was sufficient to arrest the attention of even a looker-on in California. The people of San Francisco had some taste of the quality of these gentlemen of the sword in the unfortunate disturbances of 1856. These French soldiers, to a man, took up arms against the authorities and the laws, and a wilder and fiercer set of desperadoes never established any reign of terror. They insisted on taking the city prison by assault, they demanded a wholesale slaughter of obnoxious citizens, and particularly the city and State officials, and from the first, until finally disbanded, their watchword was revolution. Their demand for lives, and a revolutionary movement throughout the State, alarmed every good citizen connected with the movement, of which they made so prominent a feature, and but for this timely alarm they would have caused the streets of the city of San Francisco to run red with blood. But France has not rested with establishing a military and physical power in California; in addition to this military nucleus and a large French emigrant population, she has promoted the establishment of a French moneyed power in that State. Through the system of moneyed associations organized in Paris, the capital to be used in California, that State is almost as badly mortgaged to the French as Mexico was to the Church and the monasteries. I state these things not merely to indicate French policy on the Pacific, but to show further that France is now a latent power in our Pacific possessions.

But there is more to be said in this connection.

The expedition started, in 1852, by the French Count de Raousset-Boulbon was at the instance of the French consul, one of the ablest diplomats France has ever had abroad; and it met with the direct countenance and assistance from the French minister plenipotentiary in Mexico. De Raousset-Boulbon organized his well-armed party of Frenchmen in California, went down to Sonora, boasting to a friend of mine in San Francisco that, if successful in his undertaking, he would "send a ship to France which would buy the empire." He quarreled with the Mexican Governor of Sonora, attacked him in Hermosillo, the principal city of the State, and captured the place. He was, however, too weak in numbers to hold the State, and did not, as he probably expected, find the people ready to accept his rule; so he made terms with Governor Blanco, extorted a sum of money from him sufficient to defray the expenses of his party back to California, and temporarily abandoned Sonora, predicting a speedy return, with better results.

In those days Santa Anna was playing, or attempting to play, in Mexico the same game so successfully carried on by Louis Napoleon in France. Santa Anna commenced his progress by adopting the title of "*Serene Highness*," and doubtless had the high approval of Louis Napoleon's minister in Mexico. The wily and sagacious chieftain summoned the bold and talented De Raousset-Boulbon to his capital, and appointed him colonel in the Mexican army; and with this commission he returned to California, with the purpose of organizing a French force of three thousand men for the occupation of Sonora, Lower California, and Sinaloa, and thus to gain the control of the sea of Cortes. As was well stated by the *Revue des deux Mondes*, "perhaps he himself dreamed of the empire of Mexico."

The enlistment, organizing, and arming of this force proceeded in California under the patronage of Monsieur Dillon, the French consul, and that of Santa Anna's vice consul at the same port. The attention of our Government was attracted to the movement, and General Wool promptly took measures to ascertain its bearings and its extent. Dillon became alarmed and published a proclamation, carefully worded, which, while it would save the appearance of complicity on the part of the French Emperor, would not seriously injure the prospects of the enterprise. He cautioned all French subjects to carefully abstain from joining any expedition which would place them out of the reach of their Government's protection, but at the same time professed in private to see nothing illegal in De Raousset's enterprise. A large ship, the *Challenge*, one of the best ships that ever sailed from our harbor, had been chartered, and was nearly ready for sea, when the American Government seized her. The Mexican vice consul was arrested and tried before the United States district court for a violation of the neutrality laws.

The French consul, Dillon, was subpoenaed to appear before the judge of the United States district court. He refused to appear and give his testimony. The judge issued his warrant or writ of attachment against his person to bring him before the court; and the chairman of the Committee on Foreign Relations will remember how fiercely Monsieur Sartiges fought out with Mr. Secretary Marcy the indignity claimed to have been heaped on the Government of France, because it had been sought to make Dillon a witness concerning an expedition of which he had been the master spirit. It is true, France repudiated that in her public journals, but those persons who then lived in the country, and who understood the records of the courts of justice of the day, knew that the reverse of those French statements was the truth; that it was an expedition gotten up to take Sonora by the French Government, using the same force that had been sent out originally from the *Garde Mobile* to revolutionize and take possession of California. Of the whole force, only about three hundred Frenchmen were on board the ship *Challenge* at the time of her seizure. This party only sailed. Our Government had acted deficiently in maintaining her neutrality laws to that extent in this instance.

And here I must with sadness allude to the action of our Government at that time, which allows of a suspicion that even then treason was lurking in the hearts of men high in place and power. Mr. Jefferson Davis was then Secretary of War. The vigorous action of General Wool against the breakers of the law of neutrality was disapproved by the Secretary, and he was so hampered by the contradictory action of the War Department that his power for wholesome action in the matter was nearly destroyed. The *Challenge* stole from the harbor of San Francisco while De Raousset-Boulbon was under surveillance by the military authorities. Further recruiting for the expedition was abandoned, and subsequently the leader, taking advantage of a storm, escaped on a small vessel, and after a long and severe voyage, joined his battalion in Guaymas, Sonora. At that time General Yanez was military commandant of the Mexican forces in Sonora. A patriotic man, he was opposed to the projects of Santa Anna, and, while he obeyed the order of the central power to receive the French troops under *Colonel* De Raousset-Boulbon, he carefully abstained, on the one hand from assigning them to any separate duty apart from the Mexican soldiers, and on the other hand, he caused them to be promptly paid every week to prevent any pretexts for mutiny. De Raousset found himself, therefore, confined to performing garrison duty in a sea-port town, instead of holding an independent command in the sparsely populated interior, where he could easily consummate his plans of conquest. The battalion remained inactive week after week, the colonel applying almost daily for orders. But the Mexican general maintained his policy, treating the French commander with all the respect due to his grade, and issuing orders to him and his troops in connection with the native officers and soldiers. Finally De Raousset *demand*ed that he should be furnished with artillery and sent to the frontier. The general quietly informed him that when he desired his services on the frontier he would give him his orders and prescribe his armaments. Hopeless of success by other means, so long as Yanez held command in Sonora, De Raousset-Boulbon boldly mutinied, seized two pieces of artillery, and attempted to take possession of the place. His soldiers, almost to a man, fought desperately under his orders, but after a severe conflict the Mexican troops, with the assistance of the local militia, triumphed, and the count surrendered himself and party as prisoners, he nobly refusing to make terms for himself, but providing that his soldiers should be well treated and sent out of the country. He was condemned and shot at Guaymas, on the 12th of August, 1854, and his men were soon sent back to California by the Mexican Government.

Thus ended, disastrously, the second attempt of France for the conquest of north-western Mexico, which she is now attempting with larger and more certain means, and in a more direct manner.

The consul Dillon, whose particular business it had been for many years to superintend French interests on the Pacific, was now withdrawn from San Francisco, and made consul general of the West Indies. The Isthmus of Tehuantepec, a canal

through Nicaragua, and a more direct movement upon Mexico, induced the French Emperor to change the base of his operations from the Pacific to the Gulf of Mexico. France had determined to control Mexico. The idea of a French-Austrian monarchy may have been an after-thought. The skillful and fraudulent diplomacy of France deceived England and Spain into a partial coöperation, and deceived this Government into a polite, if not submissive, acquiescence. It would seem that with all her cunning arts and disciplined arms, France has thus far failed. If it is true, as reported, that the French troops have been twice defeated, and the French fleet driven from the little port of Acapulco, perhaps it may prove wise for the ambitious Emperor to consider whether or not, while he is endeavoring to subjugate the free people of Mexico, his own people may not undertake to subjugate him. Still, it may be true that now, in the face of defeat, he will not dare abandon his enterprise; we, indeed, are informed that fifteen thousand of the Imperial Guard, the choicest troops of France, are ordered out as reinforcements. The city of the Montezumas is nevertheless still in the distance; and I trust that long before its streets and palaces are commanded by French artillery, if Mexico needs aid, she may receive sufficient aid from this Republic.

This question of our duty to render efficient aid to Mexico is no mere question of the Monroe doctrine. If the rule laid down by Mr. Monroe in his messages of December 1823 and 1824 is a wise and just one, demanded by a just consideration both of our rights and interests, it follows, by a much stronger reason, that the duty is now devolved upon this Government to protest against and, if necessary, resist by force of arms the extension of the power and policies of France, with the monarchical institutions of Europe, over the neighboring republic of Mexico.

There has been much dispute of late years as to the extent of the Monroe doctrine, and exactly as to what condition of facts it applies. In 1856 it was claimed to apply to the affairs of Central America by some of our public men; by others it was denied; but the doctrine, as laid down and applied by Mr. Monroe, has become established law, not disputed on this continent, and it has from time to time been acquiesced in by the principal States of Europe.

The Spanish American States had achieved a successful revolution, and established in the place of Spanish rule republican institutions. The alliance of European Powers, known as the Holy Alliance, looked to the maintenance of legitimacy everywhere, and claimed the "undoubted right to take a hostile attitude in regard to those States, in which the overthrow of the Government may operate as an example." The recovery of the revolted colonies of Spain was embraced in the scope of their determination; and in 1823 the Conde de Oñate, Spanish minister of foreign affairs, addressed a circular letter to the Courts of Paris, St. Petersburg and Vienna, in the name of his "august master," inviting a conference at Paris, to the end that the allies might aid his Catholic Majesty "in adjusting the affairs of the revolted countries of

America." To this conference Great Britain was invited, but declined in most unequivocal terms.

President Monroe, in his message in 1823, speaking of the Spanish American colonies, whose independence we had already recognized, remarks :

"We owe it to candor and to the amicable relations existing between the United States and those Powers (allies) to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European Power we have not interfered, and shall not interfere ; but with the Governments who have declared their independence, and maintained it, and whose independence we have, on great consideration, and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny by any European Power, in any other light than as a manifestation of an unfriendly disposition towards the United States."

In the same message, the President further remarks :

"It is impossible that the allies should extend their political system to any portion of either continent (North or South America) *without endangering our peace and happiness.*"
* * * "It is equally impossible, therefore, that we should behold such interposition in any form with indifference."

Again, in his message of 1824, President Monroe, speaking of the Spanish American States, remarks :

"But in regard to our neighbors our situation is different. It is impossible for the European Governments to interfere in their concerns, especially in those alluded to, which are vital, without affecting us ; indeed, the motive which might induce such interference in the present state of the war between the parties, if a war it may be called, would appear to be equally applicable to us."

The last expression I quote is the same in substance with the warning given by our Minister at London, Mr. Adams, and which I have already quoted. It is the same principle and doctrine maintained by the succeeding Administration of President Adams, in the correspondence with the French Government to which I have also referred, and the full justice of which was then admitted by France.

As a complement to the quotations I have made from President Monroe, I will read a scrap of history from the North American Review, for April, 1856. The writer has been referring to the period when Spain had applied to the allies for their coöperation in recovering the revolted Spanish American colonies :

"At this juncture of events, and just before the annual opening of the English Parliament, the message of President Monroe arrived in Europe, and by its well-weighed and explicit language on Spanish-American affairs, coupled with the refusal of England to take part in the proposed congress, 'effectually put an end to the project of assembling one similar to those which had met at Vienna, Aix-la-Chapelle, Laybach and Verona.' Such, at least, is the testimony of Mr. Stapleton, in his 'Political Life of the Right Honorable George Canning.' Mr. Brougham, in his address on the king's speech at the opening of the parliamentary session on February 3, 1824, spoke of the arrival in Europe of President Monroe's message as an event by which 'the question with regard to South America, he believed, was disposed of, or nearly so, and than which no event had ever dispersed greater joy, exultation and gratitude, over all the freemen of Europe.' At a later day in the same session, on the 18th of March, Lord John Russell contrasted its 'decided language' with the fluctuating policy of the British ministry as represented at Verona."

The policy indicated by Mr. Monroe has continued to be the fixed, uniform and unbending policy and law of conduct of this Government down to the time of

the movement of the allies under the treaty at London and the present French movement. The political necessity of adhering to it has not been disputed in this country, while its wisdom has been admitted and commended as well in Europe as America.

Is it radical weakness in our Government; is it want of will in those who administer our Government; is it because we are weaker to maintain a policy than we were forty years ago; is it because we cannot, should not, or will not, that we seem to ignore the wisdom and experience of the past and yield a cardinal doctrine approved, and well approved, for near one half a century?

I see no radical weakness in the Government; we are stronger now for foreign war than we were forty years ago. We can lend all the aid required to maintain the integrity and independence of Mexico. In 1823, the Holy Alliance, the combined strength of the continental Powers of Europe, threatened interference. We firmly advised them, in substance, "then you are at war with us." All Europe paused, and then abandoned the projected enterprise. France now stands alone; and I undertake to say, that if all continental Europe was now combined in the common purpose of subjugating Mexico, and placing a European prince upon the Mexican throne, with all our domestic difficulties upon our shoulders, we still are strong enough to maintain ourselves and Mexico. Our difficulties do not change the rule of our duty, nor relieve us from resisting, to the extremity of most sanguinary war, the overthrow of a republic on our borders by the arms of a European potentate, and the establishment in its place of a European monarchy. Let those who, taking counsel of their fears, and having the power to act in this matter, yet tamely and silently yield, and particularly countenance such disastrous results, await the time, soon to come, when France shall strike direct at us; and I assure them they will find the wilderness and the desert places more comfortable for them than national council halls or places where our people most do congregate.

The States of Europe are not so strong against us as some seem to fear. The emperors and kings of Europe stand in slippery places. The present power of France or Austria is not possessed, even if at present commanded by either emperor. To truly possess the power they seek to continue to command, demands that the experiment of free government on this continent shall prove a failure, and to secure the result of such a failure is now nearer to the interests, and commands more of the consideration of those two emperors and their counselors, than either the affairs of Italy or the balance of Europe. Mexico is to-day less the object of the present French aggression than the dismemberment and overthrow of the powerful Republic of the United States of America. When anarchy shall have fully taken the place of the order that once prevailed throughout our States their thrones will cease to tremble. This Republic has been the example to all the lovers of freedom throughout the world. To it is attributed the several revolutions in France and all the struggles of Germany to realize free government. It is not strange that in this time

of our tribulation they should seek to demonstrate the insufficiency of republican institutions for the maintenance of an organized and powerful State. At any day a question may be raised between emperor and people. I believe that question will be raised in France whenever for just cause this Republic is forced into a war with the administration of the emperor. But, independent of this, should it prove true that this Republic, the most prosperous the world has seen, the people of which enjoyed every blessing government could provide, has been destroyed, has failed to maintain unity with order, and has sunk into anarchy, then who will deny that a monarchy and a nobility are not necessities? The oppressed multitudes will cease to struggle up against oppression. There will be no place upon which even the philosopher will dare to plant his foot. He cannot even dream of free government now or in the years to come.

I have heard it stated that Louis Napoleon is friendly to this Government; that those who control French governmental action are favorable to this Republic. I have heard it stated that our Secretary of State, who directs our correspondence with France, relies upon the friendly assurances of the representative of the French Court at Washington. The chairman of the Committee on Foreign Relations, in objecting to this discussion, tells us France is constant in her expressions of friendship. Mr. President, if gentlemen are not smitten with judicial blindness; if they can observe anything of the public movements of the day, they cannot fail to see that equally with the leaders of rebellion in the South, the Emperor of France is our determined and dangerous enemy. What is true of the Emperor is true of his Court. Senor de la Fuente, the late minister of Mexico at Paris, upon his return truly reported that if one of our citizens being in Paris should claim that this Republic enjoyed the favor of France he would be laughed at for his ignorance. From the day Napoleon ascended to power as emperor, he has, in fact, exhibited a hostile aspect. As early as 1855 the desire of the emperor to break peace with this country was openly asserted to some of our officers in Paris by French officials high in place and power. Napoleon wants cotton fields, gold fields, fields for home emigration, a transit by the Isthmus to the Pacific; the commanding position on the Pacific; access to and the control of eastern commerce; above and beyond all this, he desires to see the free institutions of this Republic overthrown. Texas, Louisiana west of the Mississippi, and the Terre Caliente of Mexico, will answer for his cotton fields. California and Sonora will answer for his gold fields, as well as for his home emigration. Either Tehuantepec or Nicaragua will answer for his transit to the Pacific. The Pacific coast from Mazatlan to the Columbia, with the great bay of San Francisco, secures him, as against any power in the world, the command of the Pacific and the direction and control of the trade of China and Japan. When Louis Napoleon shall have been permitted to do these things we shall have ceased to be a nation.

I shall now, Mr. President, approach more particularly the relation of California, Oregon, Arizona and to the French possession of Mexico. The States of Sonora and Lower California border on our possessions. They both possess salubrious climates; both abound in mineral wealth; and the extensive and fertile valleys of Sonora are capable of supporting a numerous population; they embrace both sides of the Gulf of California, which they command as well as the mouth of the Colorado. Guaymas is one of the best ports on the Pacific, convenient for trade between Europe and the East by the way of Cape Horn or the Isthmus. If Sonora and Lower California become French territories, the port of San Diego is nearer by land to the French possessions by four hundred miles than is San Francisco. The southern part of our State of California is none too loyal, and many of our disaffected citizens have moved down into Arizona and Sonora. Our coast is without even harbor defenses; we could not at San Francisco accomplish what is reported as performed at Acapulco. As for field artillery, small arms and ammunition, we have scarcely sufficient for the purposes of our Indian frontier. It may be substantially affirmed that we are bare of anything like means for even defensive war. A large French fleet is now visiting the ports of Mexico and California, and to-day commands our coast. It has been stated for months, and it has not been contradicted, that eight thousand French troops have sailed for Sonora. With eight thousand veteran troops and a well appointed fleet what may we not have to fear, particularly for the city of San Francisco, the harbor of San Diego, and the entire southern half of the State? The important port of San Diego, once rivalling San Francisco, is at any time at their mercy.

A glance at the map will show that France can land troops and their supplies on the Colorado within five days' easy march of San Diego, threatening its rear. How is such a movement to be resisted? Where are the fortifications or intrenchments or cannon to guard San Diego from such an attack? Where are the men and the arms which at a month's notice, even, not to say one week's notice, could be collected to oppose such a movement? They do not exist. San Diego once taken, France would have an excellent safe harbor through which her forces might be indefinitely reinforced and supplied by sea. And thence an army could move up our coast, capturing every port in California from the rear, and rendering useless expensive sea-coast fortifications.

California is strong in brave men, but weak in material of war—weak in the means of producing that material. We have certainly not arms enough in California to arm ten thousand men. I do not believe we have any more arms than are now in the hands of the troops who have been called into the Federal service. We have no rifled field artillery; we have no founderies for cannon; we have no powder mills; we have none of the preparations for war. With Arizona in hostile possession, with the forts of western Mexico in possession of hostile fleets sufficiently powerful to prevent communication by sea between Panama and California, how could

the Government, using every endeavor, afford the relief of a single gun, musket, or a round of ammunition to our State?

Is there not danger, then, in this movement of Napoleon? Is it not well to look this danger full in the face and provide against it, rather than, through cowardice, or prudence, if you please, to abstain from discussion and preparation lest we should, perchance, offend the sensibilities of his Imperial Majesty of France?

Suppose, for the sake of argument, that the Emperor of France is peculiarly friendly to us and our institutions—rather a violent supposition, I think—yet is it wise to give any foreign Power such a tempting opportunity to act upon our weakness?

I feel that I know the purposes of France toward this country, and particularly her purpose to seize on California, and I regard it as my duty, as well as right, to demand for the subject proper regard and proper action. French policy and purposes are understood in California as I understand them. I will read an extract from the most representative paper on our coast, the *Sacramento Union*, and a true Union paper, as it purports to be. The paper is of the date of December 15, 1862:

“The increase of the French naval force in the Pacific is not explained by the necessities of a war between France and Mexico. A single war vessel at each port would answer the purpose of a blockade. *L'Echo du Pacifique*, the French journal at San Francisco, which has enjoyed support and protection under our flag for about eleven years, speaks of the approach of ‘our fleet,’ and expresses the hope that ‘our admiral’ will not be compelled to adopt severe measures to check an alleged illicit traffic between San Francisco and the Mexican ports. This is suggestive of the possibility of complications growing out of the interference of these French men-of-war with American trade. And it is not improbable that, if the situation were favorable, even the ready and convenient apology of our silky Secretary would not save us from serious encroachment.”

The French consul at San Francisco is a very important officer and has charge of all the French policy. He is not a mere commercial agent, but the representative of the French Government, and the *Journal l'Echo du Pacifique* is his organ, and speaks from his office:

“The proposed occupation of Sonora by a French division may have no significance prejudicial to American interests; but if England were to send that number of troops to Canada, her recognized colony, an explanation would be demanded. When we consider the location of Sonora, and the turbulent element existing in southern California hostile to our national Government, in connection with the concentration of a powerful French fleet on this coast, we are forced to regard the situation as one that demands the earnest attention of the Government and the adoption of prompt precautionary measures.”

We regard this movement with great apprehension. This paper expresses the sentiments and apprehensions, if you please, of the people of California on the subject. We talk of those things we understand; and here I wish to state what I have long observed, that we seem to understand everything that is east of us, scarce anything that is west. The gentlemen from the Atlantic seaboard seem to understand more about what is transpiring in France and England than about anything that is beyond the mountains. By some law, which I will not undertake to ex-

pound, our people hardly ever understand anything that is further west than they have been. It has been and is a matter of grave and just complaint that the condition of California, its necessities, could not be understood at Washington; and what has been formerly true is especially true so far as our present military condition is concerned, and particularly our danger from French aggression.

Because we have a change of Administration every four years and with it a change of policy, our public men seem to think there is no such thing as state policies. The old Governments of the world have their fixed and persistent policies, which even revolutions do not change. Much of the present policy of France you may study back to the time of Richelieu. To our neglect of something like fixed policies may be traced our internal disturbances and the fact that France now threatens us. If the Monroe doctrine had been firmly asserted in the fall of 1861, there would be no French troops now in Mexico and no danger of a French invasion of our own territories. If letters of marque had been promptly issued, our volunteer force for the ocean been promptly called out, there would have been no confederate pirates on the high seas and no running of our blockades.

If the principles enunciated by President Jackson in his proclamation to the people of South Carolina had been reasserted in 1860 and 1861, the peace of the Union would not have been disturbed. We have had sufficient policies instituted, but, either through ignorance, or folly, or weakness, or wickedness, they have not been pursued. Let me ask, what is the cause this has been so? Is this same want of purpose or policy to continue?

Now, Mr. President, I have shown first that France has violated the law of nations, as well laid down by our present minister at the British Court. I have shown by paper and by record her violation of the terms of the treaty made at London, and her repeated assurances given to this Government. I have shown that she has been acting in fraud of this Government, and commenced with falsely stating her purposes. I have shown that she has undertaken, without cause and against every rule of justice, by a course of proceeding which offends the common sense of justice of mankind, to subjugate the people of Mexico for her own profit, and not only for that purpose, but to prevent any increase of power on our part on this continent. I say France has nothing to do with our increase of power on this continent, no more than we have to do with her treaty as to whether she shall have Nice, or whether it shall belong to the States of Italy. I have shown that she has committed herself to the establishment in Mexico of a monarchy of the Austrian line. I have, I think, satisfactorily shown that, while establishing a monarchy in Mexico irrespective of the will of the people, she has a policy which involves her own immediate occupation of a part of the present territories of Mexico, and that she is now undertaking a policy whereby she expects to seize a part of the domain which at the present time belongs to this Confederacy. The fact which is not disputed, that her diplomatic agents

have been feeling the way to see whether they cannot get possession of Texas, independent of the southern confederacy, proves this. The fact that she has been struggling for years to occupy California proves this. Her movements upon Sonora prove this. Her treachery in getting fraudulent entry into Mexico proves all this; and more.

With these facts before us, shall we tamely abandon a policy more important than any one of our fundamental laws; a policy we had regarded as established, and as essential to our own as well as all free institutions; a policy, the bare affirmation of which served as a perfect shield over the Spanish American States, sufficient to protect them from the arms of banded continental Europe; a policy which a great English statesman declared had "dispensed the greatest joy, exultation, and gratitude over all the freemen of Europe?" Shall we, I say again, merely take counsel of our fears, and yield not only an established policy, but a great principle, the maintenance of which is demanded of us by the very laws of self-preservation?

For what shall we do this? If any one says that either policy or necessity demands or requires such a course, I here deny the statement. We have not as yet even remonstrated with France; but suppose we require of her the withdrawal of her troops from Mexico, and the demand is denied; give arms, authority, and the flag of the Union to the people of California, and California will send twenty thousand loyal, brave and tried men, men worthy to bear our flag; and when the folds of that flag mingle and move with the standard of our sister republic against the French invaders of this free continent, they will continue to move until the legions of the robber emperor are driven into their ships or into the sea.

California has asked the permission to send ten thousand troops on this side to aid our cause against the rebellion. The permission was denied. We have all the force in California, so far as men and soldiers are concerned, that can be necessary in giving sufficient aid to Mexico; but we want a fleet upon our coast; we want harbor defence; but, above all, we want the requisite arms and munitions of war. We have all the force requisite for ourselves and Mexico; give us but the facilities and the authority to apply them. When the French shall have either left their bones in the mountain passes of Mexico or taken to the sea at Vera Cruz and Guaymas, our troops may, perhaps, do good service in Texas or elsewhere where the Union cause needs soldiers.

No European Power can be strong on this continent. Our experience in 1776, and again in 1812, is full proof of this; the French embarrassments in Mexico, thus far, prove this. Four thousand miles of sea is a barrier not easily overcome. The transportation of men is one thing, the transportation of material and supplies another. France has undertaken a task greater, I think, than the estimate. It is not certain but that Mexico may herself be equal to her necessities; but I do not doubt that we can give all requisite aid without one half the sacrifice of life incurred in any one of several of the battles of the rebellion.

Some gentlemen may be timid because our commerce will suffer. So it will suffer; and so will French commerce suffer; and so has our commerce suffered before, and so must it suffer again, whenever we engage in war with a maritime State. This will be no war for a punctilio; it will be for the maintenance of an essential principle; and if it involves the lying up of our entire commercial marine, it will prove but a small sacrifice if the right be maintained. We must not sacrifice to our fears or to our love of thrift either great principles or our nation's honor. But, in fact, we are infinitely stronger upon the sea than ever before; but why not start out, as of old, our volunteer Navy, unchain our old sea lions, and set them on the track of the enemy? French commerce will be scarce upon the seas in a brief time. French looms will need cotton more than they do now. We have in every port ships, and sailors to man them; true sailors are all sea-soldiers. He who has battled fearlessly with the tempest fears no human enemy; and our sailors are the first sea-warriors of the world. France must carry on her land war upon our own continent; and we can drive her from the seas. I ask, then, what is there to fear in war with France? Not half so much as from the preservation of a treacherous peace.

It is said a war with France will give aid and comfort to the South. I would state the question differently: will it weaken this Government in its efforts to overcome this rebellion; or will it impair the chances of our ultimate success? However some of the South might be comforted by the immediate fact, it is perfectly clear, in my mind, that the war would lend strength to the Government, and essentially promote its complete re-establishment. In my judgment, a war with France would have a most healthy influence in that very direction. Its influence certainly would be to unite firmly the people of all the loyal States, and renew that war spirit that seems to have faded before military management and congressional legislation; and observe, sir, this is at this time a consummation most devoutly to be wished.

There is another consideration. How would the truly democratic masses of the South care to band with the Emperor of the French against the United States? I am of the opinion that it would greatly impair, not aid, the home strength of the rebellion. Independent of this, however, publish the full facts of the outrage of France upon Mexico; publish this to the American people. Expose the fraud, outrage and robbery being now committed by France in Mexico. Show what are the designs of France upon us. Let France appear confederating with the South. We will require no more drafting. We will need no borrowed enthusiasm. We will be stronger against the rebellion with its allies than against the rebellion as it is.

And permit me to express the opinion that this assault on free institutions by the French Emperor will detach from the rebellion many true republicans, who from this, taking warning, will seek the old standard and with us once more join hand in hand in the maintenance of the cause of free institutions.

In fine, Mr. President, I am well assured that we have nothing of value to lose by a French war. We have everything to gain, and for one I am unwilling to avoid it.

There is another subject upon which I should remark. One of the resolutions requests the President to communicate these views to the Mexican Government. If we entertain them, why should they not be expressed to the Government of Mexico? That would give them some moral aid, if nothing more; and then, why should we not make a treaty with Mexico? In the first place, I would have a reciprocity treaty with Mexico, and then there would be no question raised by Secretary Stanton or by Secretary Chase as to whether we might transact commercial exchanges generally between us and the Government of Mexico. The truth is, a reciprocity treaty would be of infinite service to Mexico, while it would be of yet greater service to ourselves. So far as I am concerned, I believe it is our duty to lend to Mexico whatever aid she may require; not denying to her the privilege of buying our old muskets, while giving to France the opportunity of buying transportation. I believe it is our duty to lend her whatever aid may be necessary; that we should spare her twenty thousand men, armed and equipped for war, or whatever number might be required.

Why, sir, the present war is not felt in the great North, except in individual families. Last fall, when I traveled in the North and West, I went through towns and villages and counties where there was no sign of war. It was only upon the great highways that you observed it. The pressure of this war is not felt; you may say it is scarcely known, except through the public press, in the States on the Pacific. We can afford to do this for Mexico. It is our duty to do all this; and I say it is of the first importance that we should assert our right and discharge our duty; and in this, we make ourselves a stronger people.

I am one of those who think that our policy in the Trent case weakened the moral power of this Government. If it were right that these commissioners should be surrendered, they should have been surrendered by terms stipulated and agreed upon between the representatives of the two Governments, so that Great Britain might have been at least committed to a rule of international law. The surrender was made as if we feared the shake of Earl Russell's head; they were surrendered in the face of a demand in the form of a threat. Nations have as much strength in their appearance of strength as they have in their armed legions.

I would have in this business the exhibition of something like national spirit, pluck, if you please. France knows what our rights are, what our wrongs have been; let her understand that we not only know them, but dare state them; (singular again, I repeat, this does not appear to have been done.) Being stated well, let our rights be firmly demanded. Is not this Government equal to this dignified duty? If France hesitates to acquiesce in our just demands, advise France that we espouse the cause of Mexico. If this be done, and properly done, I dare prophecy

that the diplomatic tune of the Emperor will be played upon a different instrument, and that he will be content to dismiss for the present from his mind great visions of ambition, and trust to their realization at some more propitious season. If France persists, then let war come; this is certain, we will have done something to secure a decent respect from the other nations of the world.

I fear our Secretary regards Prince Talleyrand a proper pattern for a republican diplomatist, and admires that skill by which words may be used to conceal our thoughts, and that, in a too great effort to imitate his example, he has failed to say anything; therefore, perchance, nothing has been said. For my part, I think the sum of the science of American diplomacy may be found stated in the instructions of General Jackson to Mr. McCauley when he sent him to Tripoli. McCauley protested against the appointment, as he knew nothing about the business; and if he must go, he must have his instructions. The President replied, "*your instructions will be brief, sir. Ask for nothing but what is right, and submit to nothing that is wrong.*" The instructions proved sufficient: he continued in the discharge of his duties in Egypt until the time of his death. I wish the Government would open a school of diplomacy, and have the instructions culminate in the understanding and meaning of the Jacksonian rule and full training in the manner of its practice.

Let us demand all our rights; let us discharge all our duties. This nation will never die as long as she dares fearlessly to discharge the duties charged upon her, as long as she dares firmly and with a true faith raise erect whatever be the burden with which she may be charged. If we play the hare among animals we will be killed by the wind of the first arrow. Resistance and will and consciousness of power are the elements of strength; thus far we have been as weak as water. I have raised the question whether this shall continue. I have presented a series of resolutions, the justice and truthfulness of which cannot be disputed. Now, I desire your voices, Senators. Shall we advise tame submission, or shall we advise the assertion of ourselves as a live nation? I trust at least a direct vote may be had on the subject. I do not wish to see it buried by the legerdemain of legislation.



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“MANIFEST DESTINY,” “THE MONROE DOCTRINE,”

AND

OUR RELATIONS WITH MEXICO.

A LETTER FROM GEN. ROSECRANS TO THE PEOPLE
OF THE UNITED STATES.

FELLOW-CITIZENS :

If, in the sequel of this letter, you do not find an apology for one of your number presuming to address *forty millions* of the most pre-occupied people on the face of the globe, be assured that nothing could have brought me thus before you but the conviction of the vast national interests, present and future, involved, and of my inability to spare the time and money to serve you in a less public way.

We are a rapidly increasing and producing, and, under our tariff laws, will soon be a great manufacturing people.

We have also the elements of a great commercial nation.

We must, therefore, *seek* and *prepare* markets for our produce and manufactures, and customers for our trade.

By proximity and political sympathies, our especial fields for these are the Western Continent and its adjacent Islands.

We do not now occupy those fields.

Against the natural law of proximity, against the sympathies inspired by similar political institutions, they have been occupied by European nations of adverse political sympathies and institutions.

The fault is not lack of intelligence or enterprise among our people.

It is the lack of a suitable *national policy*.

Our national policy hitherto, toward the peoples of the Western Continent, has been beneath contempt.

[1870 ?]

It has caused the people of the Spanish American States, except perhaps Chili, to regard us as hypocritical, heartless, unprincipled, rude, and rapacious ; and made them fear and hate, instead admire and love us, as they would like to do.

While our past and present policy, or lack of it, thus repels our commerce at the threshold of these countries, it is in great measure prevented even from starting there by the fears and uncertainty of our citizens about the course of our own Government.

British subjects, or chartered companies, under favoring laws, penetrate all quarters of the world. They own and draw wealth from the regions of fur and snows north of us. An English company controls Honduras ; another runs the Mints of Guanajuato and Zacatecas ; another the Bank of London, Mexico and South America, in Mexico. Their commerce and enterprise reach every where, and largely influence every country south of Mexico. It dominates the East Indies. And from every quarter they bring home riches to that "Queen of the Isles."

The British or French subject, going abroad for legitimate business, knows that his Government, with paternal solicitude, embraces him and his ; and his complaints of injustice are tenderly received and promptly redressed.

Americans under like circumstances are generally neglected ; or instead of rebukes to the authors of their wrongs and prompt redress, often find themselves deemed troublesome for complaining ; so that, with a few exceptions, the better classes of business men abandon fields in which their Government's policy gives them no fair chance for competition.

The object of this letter is to invite your attention to the necessity of having our Government adopt a policy towards our sister Republics of the Western Continent, in consonance with our national dignity and interests, and with the interests of humanity, commerce, freedom and civilization, throughout the world.

For reasons which follow, I propose that this proper policy should begin with the nearest, greatest, and most necessitous of our Republican neighbors—Mexico.

And, under the shadow of its general declaration, to let the laws of trade, business, and the leaven of imitation, carry it southward, through the other Republics of the Western Hemisphere.

Nations are ever moving on, even when they appear to stand still. Ours, under the swift impulse of that current of life which it receives from Europe, accelerated by a thousand causes when it reaches our shores goes forward with impetuous speed toward its destiny.

Therefore it behooves all citizens to see that our bearings are often and carefully taken, and that our pilots should be kept on the alert and warned, lest we be wrecked or carried to sudden destruction. Nations are judged and punished in this world; and no crimes committed ever escape retribution; nor can the seeds of evil be sown without reaping their evil harvest.

But there is great danger of these results in the interpretation we shall give to the "*Monroe Doctrine*" and "*Manifest Destiny*."

Our growth and movement, at this time, render that danger imminent; it is even at our doors, and no man seems to regard it.

We are already confronted with the question of the annexation of St. Domingo, and threatened with that of Cuba, and many "isles of the sea" will be waiting for us.

Twenty years ago, in a circle of friends, some of whom expressed fears of national difficulties to grow out of the unsettled northeastern and northwestern boundaries, the great *Daniel Webster* said, "No, gentlemen, nothing serious will come of this. Our great national difficulty lies not in that direction. Our greatest danger is, that we have a sister Republic on our Southern border, almost in mortal agony, and no one amongst us seems willing to lend it a helping hand."

That danger exists to-day, drawing ever more near and lowering more darkly; and without prompt and decisive action we shall find ourselves soon and suddenly plunged into an abyss of evil consequences, the bottom of which no human ken can reach, no statesman's line fathom.

The combined evils of a Florida war, a foreign war; the reconstruction of eight millions of people differing from us in habits, language, and laws; the introduction into our system of a military proconsular power; an aggravated system of carpet-bagging representation, tainting the character of our Senate, and suggesting its abolition as a lesser evil; and the addition of several hundred millions to our national debt, are some of the evils now nearly impending, and which may be averted by adopting a proper policy toward Mexico.

Circumstances and my residence in Mexico brought me face to face with the "*Monroe Doctrine*" and "*Manifest Destiny*," which hang like threatening clouds in the horizon of our future, over whose surface we have seen the lightnings play, and out of which we sometimes hear the low muttering thunder—whether presaging gentle rains, fraught with blessings to the people, or menacing them with whirlwind and ruin, we do not know.

What I saw in Mexico and what has since transpired, impel me to

warn you of impending calamities, plainly to be perceived, and to beg you to shake off that fatal apathy in which Mr. Webster saw our chief cause of danger.

The "Monroe Doctrine," which I believe we can and ought to stand by, is based on the essential right of every nation, however small and weak, to its own autonomy; and is the protest of this great free People of the sanctity of *right* against *might*, and its declaration that all the nations of the Western Continent, by virtue of right, should manage their own affairs without the interference of European nations, or of each other; and that, in case of attempted European intervention, community of interest binds them to make common cause, and resistance; and that we, as a nation, feel bound to fulfill this obligation.

We never meant, nor do the people now mean, by the "Monroe Doctrine," to proclaim an exclusive right to filibuster and interfere with the affairs of peoples of the Western world.

And the sooner this is *perfectly understood*, the better.

Repudiating this unprincipled interpretation, we must also repudiate the notion, that "Manifest Destiny" means the right of the *strong* to trample upon and devour the *weak*.

Our "*Monroe doctrine*" binds us to secure the most intimate and fraternal relations between ours and the other American States, so that, without prejudice to national autonomy, citizens can pass from one country to another almost as freely as they here pass from one State to another. Our strength, directed by justice, should be used to protect the weak, defend the oppressed, and sanctify *right* in the eyes of all nations.

Our "Manifest Destiny" should be, through the exercise of justice and mercy, and the forces of business, commerce, and capital, to spread the influences of light, of order, industry, and civilization, mingling them with what exist or is produced elsewhere, over the Western Continent, leaving its peoples, under such influences, like ourselves, to choose the best modes of self-government.

The motto of our policy should be distinctly pronounced: "*Complete political, commercial, and industrial fraternity among the Republics of the New World.*"

With these convictions, and left free to express them, I accepted the mission to Mexico, where I openly proclaimed them, and, to my surprise, found that to the ears of that isolated and unhappy people mine was a strange doctrine. I also learned that it was equally so in the estimation of the great body of the peoples further south.

They heard with interest, but incredulity, the declaration that it was the belief of a great body of our people. It was to them a ray of light, but appeared "too good to be true."

This satisfied me the relations of the two countries were wholly abnormal and at variance with our mutual interests, and from that moment I have labored to interest those who have the power, to rectify them. You have that power by a simple declaration of what is right—what you already believe—made at your instance by Congress, and by the simple operation thereafter of the laws of commerce and business, and I appeal to you to use it.

I found the natural wealth of Mexico greater than I had expected, and equal to the popular belief; but, very like those portions of our own country where neither rivers nor railroads reach, almost wholly dormant.

Her political people, who actively influence politics, may be classified as *conservatives*, who maintain law and order pure and simple; *conservative liberals*, immediate adherents of the Government; and *ultra liberals*, or *progressistas*, who oppose it on the alleged grounds that it disregards the Constitution of 1857, and fails to adopt a policy of material progress in consonance with the wants and wishes of the nation.

All these parties are dominated by a spirit of *profoundest dejection*, from which I often urged President Juarez and his Cabinet to take prompt measures to arouse them, saying, "Señor Presidente, your people *must* be inspired with some hope, or the Nation will perish."

When it was known that my successor was appointed, I decided to address President Juarez the subjoined personal letter, which shows my thoughts and conclusions at that time, and explains my subsequent action, the reason of my Memorial to Congress, and what led to my writing this letter.

You will perceive that they have been, in fulfillment of my promise to President Juarez, and of duty to our country, humanity, and civilization, inspired by convictions and circumstances.

LETTER OF GENERAL ROSECRANS TO PRESIDENT JUAREZ.

"Mexico, May 28, 1869.

"*Mr. President:* Personal sympathies for the Mexican people, determined my acceptance of this mission; and the same sympathies now urge me not to sever my brief association with your people without expressing, to you and your Cabinet, some views of what appears to me vitally interesting to the future development of this country, and without offering to do what lies in my power to aid in securing that development.

"A study of the past and present condition of this country; its scanty and scattered population, too few in numbers and poor in resources to support schools for general education, to make and maintain roads, to give individual

security against armed violence, or adequate support to law and the administration of justice—all lead me to the conclusion that without *railroads* and *immigration* the country must perish.

"The present spirit of isolation from other civilized peoples, and mutual repulsion, of the elements of your own population, must bring revolution, anarchy, dissolution and national extinction, from which there can be no resurrection, except by an absorption which would bring *railroads* and *immigration*."

"Or should the vast atmosphere of interests and passions which pervade and surround you become electrified by war, the utmost good that could be expected, after bloodshed, devastation and conquest, would be from an order of things that would bring *railroads* and *immigration*."

"Since the final remedy is always this—a beneficent progress depending on *railroads* and *immigration*—it is the paramount duty of every friend of Mexico, every friend of humanity, to promote the adoption of these means for her salvation and regeneration."

"Above all others, this duty rests on those in whose hands have been placed the reins of government, who are bound to see that no effort is spared promptly to secure the beginning of this solution of the question for Mexico. Incalculable weal or woe, incalculable happiness or misery, depends on their action."

"Nor to succeed is it necessary that the Mexican statesman should first educate his people to believe in this solution."

"The combined wishes and interests of the nation yearn for it, and the great strength of opposition to the Cabinet must depend on the belief that its members are secretly opposed to liberal progress, practical fraternity of peoples, and any grand improvements which will bring to your country railroads and immigration."

"Having received from yourself and other members of your cabinet assurances of your convictions in favor of 'Mejoras Materiales' and immigration, the question with you, as with the great body of the Mexican people, is, 'how can we get them? By subventions? Neither our experience nor our pecuniary condition warrants the hope of securing them by subventions. Has Mexico the capital and skill to build railroads, or the public lands to invite immigration? Where is the capital attainable here? Can capital and skill be obtained from Europe? Not soon—not in our present condition of isolation and insecurity.' Such are the thoughts which most commonly occur to those Mexicans with whom I have conversed on this most important subject."

"But there are interests—strong, great and controlling interests—in the United States to favor this peaceful and beneficent solution of the Mexican question; interests for which your present security and isolation constitute additional motives for giving effective aid to the work."

"There are also great interests throughout the civilized world, both public and private, concerned in promoting the same. What are they?"

"1st. The great moneyed interests of the United States, and of all who hold her evidences of debt, favor it, because they want no fluctuations in the money market, no depreciation in their securities."

"2d. All the great commercial interests of the United States, and of the world, favor it. These interests are naturally constructive, not destructive—opposed to whatever destroys national wealth, and in favor of whatever increases it. They must wish for whatever will promote the prosperity, wealth, and progress of Mexico."

"3d. All the agricultural population of the United States, comprising the largest part of our voters, are interested in supporting this solution of the Mexican question; because any other threatens them with increased taxation, which they would not at all like."

"4th. All Mexican bond-holders, at home or abroad, all creditors of Mexico, must favor her peaceful developments, from which alone she can hope to pay her debts.

"Nor would any of these great interests favor any other solution, so long as their leading representatives hope for this development, without the destruction of Mexican nationality.

"But, if all those great ruling interests stand thus affected towards 'Mejoras Materiales' and immigration in Mexico, why can not means be found for them in the United States?

"My opinion is, that they can and ought to be obtained from that country—that it will be a crime against Mexico, against humanity and civilization, if it is not done.

"Why will not capital come here? What keeps it away—but apprehensions of insecurity and loss? And the principal source of these apprehensions is the supposed want of good-will towards them on the part of Mexico. What more obvious or more easy than to remove those apprehensions?

"Let her statesmen, her leaders, her Cabinet, and her Congress unite at once in action, which will prove that they have the intelligence to perceive and the good-will to embrace this solution—that Mexico is in favor of these means of progress.

"This can be done now more effectually than at any other time. The very fact that the session of Congress is at its close, that there is apparently no time, will make the granting of your two railroad concessions, now before Congress, a great demonstration calculated to strike the minds of the chiefs of the interests to which I have alluded.

"Add to these concessions a solemn declaration of the views and objects of the Government and of Congress—that is to say, of the Mexican nation—in granting them, and a solemn and formal pledge of the national faith, guaranteeing the rights and interests of the concessionaries, and all settlers on their lands, for the same great national reasons; and let this be done now, before other views and excitements seize the public mind; and, in my judgment, you will be successful in securing the requisite means and confidence. If so, your future development, prosperity, and progress are certain. The natural resources of your country, its fertile soil, varied and delightful climate, invite immigration, and will repay toil and culture.

"With population, and employment for those who must now rob, beg, or starve, will come personal security, vast increase in the value of lands, abundant resources, diminished taxation, stability in the Government, due execution of the laws, and your land will begin to realize the dreams of her poets and the pictures of her orators, now so remote from the sad experiences of the past and present generations.

"Should you decide to make the demonstration just indicated, the same feelings which prompt this letter induce me to say, that, in spite of many adverse reasons and interests, I promise you—as I have said to other members of the Cabinet and several Diputados—I will use my personal exertions to lay these views, the Government concessions, its acts, and those of Congress, bearing on the subject, before the highest and best representatives of the ruling interests in our country; and will endeavor to induce the undertaking and prompt execution of some model works of railroads and immigration, which I think will settle the question of the future development and prosperity of Mexico.

(Signed) "Very truly, your friend,

"W. S. ROSECRANS."

President Juarez' reply to this letter was cordial, and manifested a good appreciation of the necessities of his people, and a good-will to remedy

them. This was left by me among other papers in San Francisco, and I regret that I have no copy at hand.

This letter, and my uniformly frank and earnest manifestations of goodwill towards Mexico, led to the *Committee of Industria* consulting me, as to what inducements ought to be placed in Railway concessions to attract American capital and enterprise to their country.

I advised them to select trunk lines, and to supply the want of money subventions by lavishing such franchises and exemptions as were in the power of the Government to bestow.

The letter of Mr. Lerdo, Minister of Foreign Affairs, refers to two of them.

I also conferred with him about a plan to supply their wholly inadequate circulating medium by a National Bank, upon which a letter from the same prime minister is subjoined :

MR. LERDO'S LETTER ABOUT RAILWAYS.

"MEXICO, July 10, 1869.

"GEN. W. S. ROSECRANS, &c., &c. :

"*Esteemed Sir*— * * * It affords me pleasure now to repeat to you that the Mexican Government is animated by the most sincere and practical desire to secure a great industrial immigration, as well as to favor the greatest possible development of commerce and railway industries between the United States and Mexico.

"With this view, the Government proposes, at the next session of Congress, to recommend the granting of the two railway concessions already favorably reported from the "committees on industry."

"No one can question, or fail to perceive, the immense advantages to the country which would result from the construction of these railways."

MR. LERDO'S LETTER ABOUT THE NATIONAL BANK OF MEXICO.

"MEXICO, May 10, 1869.

"GEN. ROSECRANS, &c., &c. :

"*Esteemed Sir*— * * * You point out with great truth the benefits which would result from the establishment of the National Bank of Mexico.

"It cannot be doubted that the general idea of its establishment is well worthy the support of the Government, and I consider that if difficulties are found in any of the details which the project embraces, the Government will be animated by a sincere and earnest desire to seek the best manner of overcoming them, or of choosing others by which an institution so advantageous to the country can be realized."

Early after my return to the United States I prepared a brief statement of the condition of affairs in Mexico and the wishes of that people for aid in capital and skill from the people of our country, which was personally or by letter submitted to the consideration of some of our leading men.

I subjoin extracts from some of the written expressions of opinion elicited thereby :

WM. H. ASPINWALL says:

"BARRYTOWN, Feb. 10, 1870.

"*My dear General—* * * * Your interesting letter of the 21st ult. was forwarded to me at this place, where I am staying a few days with my brother. * * *

"The subject is one of great and imposing magnitude, and worthy the attention of any comprehensive mind, and, in proper hands, cannot fail to result in good to Mexico, and in honor and profit to those who, under proper auspices, take it in hand.

"The plan proposed to give it birth admits of no improvement that I can suggest, and I therefore offer no advice." * * *

CHIEF JUSTICE CHASE says:

"WASHINGTON, Feb. 22, 1870.

"*Dear General—*I have read with interest your views concerning the regeneration of Mexico under a government of her own. * * *

"Certainly, with a stable currency, which a bank such as you propose might, and probably would, give—with railways supplying intercommunication—with suitable encouragement to immigration—there seems to be no reason to doubt that the country could be made prosperous and happy. Nor does it seem to me doubtful that the stockholders of the bank would receive satisfactory dividends, if proper guaranties of safety and freedom from governmental exactions could there be had. If I were younger, I should like to take part in your plans." * * *

JOHN JACOB ASTOR, under date of 10th of Feb., says:

"*Dear General—*Your letter of the 31st of January ult., with accompanying documents, has been received. Your plan strikes me favorably."

GEN. ROBERT C. SCHENCK, under date of 28th Feb. ult., says:

* * * "As to your general plan, I have seen nothing, while it may give profit to the parties interested, so likely to develop largely the resources and wealth of our neighbor and sister Republic, and to advance the prosperity of her people. I trust you will go on successfully with your projected enterprise." * * *

Which, please understand, is to secure aid to Mexico.

GEN. CALEB CUSHING, an able lawyer and experienced statesman, says:

"WASHINGTON, 4 March, 1870.

"*Dear Sir—* * * * I have carefully considered the papers you placed in my hands, * * * and have no hesitation in saying that, in my opinion, the project is one of eminent usefulness and importance, primarily to Mexico, and incidentally to the United States."

These are but specimens of the uniform approbation the plans have commanded from every thinking mind to which I have presented them.

But I found the mass of our own people all filled with doubts and uncertainty about the undertaking, originating in impressions derived from newspaper reports of the condition of Mexico, yet settling down at last upon the uncertainty of our own *national policy* toward her.

I furthermore found, that the almost entire possession of the business and specie export of that country by merchants abroad, had left our best business men in possession of so little real knowledge of Mexico, that to prepare them for business action was too great an undertaking for one man.

I therefore prepared a Memorial to Congress, designed to explain the elements of the Mexican question, and to show that the main evils now afflicting that country admitted of remedy by *the simple operation of the laws of business and commerce*, and that we had a great stake in this result.

I subjoin extracts from it, giving

THE MAIN POINTS OF THE MEMORIAL.

"Mexico is an immense diversified table-land, having the climate and productions of a temperate beneath a torrid sun; skirted by a belt of *Tier-ras calientes*, with all the fruits, productions and luxuriant verdure of the tropics; washed by two oceans—a land upon which nature has lavished her bounty, covering its surface with all that can minister to human want or luxury, and filling its mountains with gold, silver, tin, copper and other mineral treasures. With a seaboard of three thousand miles, she has no large navigable rivers reaching her interior table-lands, and supplying outlets for their actual and possible productions. Railways—those iron rivers, made by man to flow wherever there is soil capable of supporting population—alone can reach these treasure-houses of wealth, and bearing their contents to the oceans, pour them into the lap of general commerce.

"Until these are made, no population nor race would or could develop the dormant riches of the country.

"What did or do our enterprising citizens, or their descendants, going to the Far West, beyond means of communication and transport, except sink to the level of their new condition, and content themselves with producing what they consume?

"Mexico has about eight millions of souls scattered over its vast surface, or aggregated at a few commercial and mining centers. Of these at least five millions are Indians, descendants of the conquered races, and the rest are Europeans and their mixed and pure descendants. The former seldom meddle with politics, unless they are obliged to do so in self-defense. The latter possess most of the wealth, property and intelligence, and form the body of the political people. As all experience shows, the domestic habits and prevailing ideas of masses of people change slowly, so, with exceptions, these Indians retain many, and in a large number of instances most of theirs, forming a mass of resistance to the ideas and habits of European civilization, which the powerful and plastic hand of a religion based on faith and working by charity, alone could have molded into such conformity as is even now exhibited in Mexico.

"Humane as was the preservation of the conquered races, the natural effects on civilization of diluting feeble detachments of Europeans with large

bodies of these, can be readily comprehended by those in our country who have observed how bodies of educated and polished Eastern people, emigrating to the borders and living for a generation or two beyond the reach of good roads and schools, lose culture and intelligence. If our energetic population thus yields to the force of circumstances, what effects should be expected from the combined action of these causes, with a much wider diffusion of population, and the admixture of three of the civilized element with five of a conquered race, having a semi-civilization of an adverse type?

"Under such adverse conditions, Mexican society, hitherto, has been compelled to develop—and for that matter the society of all the South American States which have drawn their civilized element from that indomitable and enterprising people who discovered the Western continent, subdued and now control it, from New Mexico to Patagonia.

"Unlike our country, which receives into its bosom a river of civilized life, fed by streams from every civilized country on the globe, and where Indian extermination prevents dilution, Mexico and the South American Republics draw most of their civilized element from the Spanish peninsula, which, even were every unit angelic, would furnish a supply insignificant in comparison with the area over which it is spread; and that insignificant supply is swallowed up by the indigenous races. It would be safe to say, that drawing population from the old and thus spreading it over the new world, civilization could not be expected to do more than hold its own in either. And that is about all it has done among the masses in Mexico, where we find the graceful simplicity, hospitality, and chivalrous courtesy of the Spanish civilization of the sixteenth century, in strange contrast with modern growths, under circumstances of a changed climate and life—remains of palatial luxury transported to homes in Arcadia.

"These are characteristics of Mexico, and elements in its future development which statesmen must consider.

"Your memorialist has also noted that, in the circulating medium of Mexico, gold and silver coin exists in a very inadequate supply, not exceeding eight or ten dollars *per capita*; and that out of this, almost at the limits of barbarism, is taken the principal export of the country, because the producing and consuming population chiefly inhabit the table-lands, whence only the most costly and concentrated products bear transport by present modes. Thus, from a typhoid patient, every "*conducta*" draws a portion of the best blood. Can the patient live unless the treatment is changed?

"To your memorialist the conclusion seems inevitable, that, with such a population diffused over its immense surface, without good roads or means of transportation from the interior to the oceans; unable, from lack of population, to make or maintain them; unable adequately to defend law and life from armed violence; unable to form or support schools for the masses; without the cement to unite the elements of her society; without currency to transact her business, Mexico must have railways and industrial immigration, and a national currency, or, through vicissitudes of revolution, anarchy and disintegration, revert to barbarism, awaiting return therefrom through the help of teeming and active civilization rising along her northern border.

"In the long vista of disastrous experiences before that term could be reached by Mexico, what crimes and sufferings must occur! What contingencies of national and individual evil! What sacrifices of actual and possible trade and commerce between the two countries! And, after all, Mexico can be nothing to herself, to the United States, or to the world, without the railways, additional labor, and currency required for the development of her boundless natural riches; and which your memorialist believes can and ought to be speedily supplied, without incurring the actual and possible losses of

trade and commerce to which he has alluded, and without other evils which will readily suggest themselves to the minds of thinking men.

"The trade and commerce of eight millions of people, formerly in other hands, is a business prize worthy national attention, especially when it is considered that their imports, now thirty or forty millions, might be readily doubled in ten years.

"The extinction of that element of barbarism from our system which kept our foreign policy in the Western Hemisphere *beneath contempt*; the immense interests which European nations have in us as borrowers and consumers, forbidding armed intervention in the West, and inducing them to concede us the 'Monroe Doctrine,' and to call upon us to fulfill the duties of intervention which they will claim it imposes on our Government—all make the present moment opportune to aid Mexico in developing herself by the help of American capital and enterprise. At the same time, the seething cauldron of interests, passions, ambitions, speculations, desires for war, annexation, conflagration, plunder and spoils, which, 'like a hell broth, boils and bubbles' before us, admonishes statesmen of evils to be avoided as well as good to be secured by 'the speedy development of Mexico under her own autonomy.'

"Your memorialist presumes to address you, and, conscious of the greatness of the work in view, invokes the representatives of his nation to consider it. He frankly declares his profound conviction that all the elements for the great work exist. That timidity of action among Mexicans, whose whole past has been a failure, and hesitancy on the part of our capitalists, who forgot that, in Mexico, capital, even when not beneficently employed, has always protected itself, ought both to disappear from the greatness of the work and the certainty and fruits of its accomplishment.

"As it requires no expenditure, requires no complications, and substantially means to say to our people, 'Congress thinks the rapid development of Mexico and her prosperity so important, that it is willing to authorize an organized effort of American citizens to aid in the work,' your memorialist ventures to suggest that its force will be greatly enhanced by the promptness and unanimity with which it is passed.

"As it will be a high, unbiased, and express declaration of our national good-will, to be followed by effective aid from our own citizens, he believes that its primary consequences will be most important.

"And in behalf of Mexico and her people, he dares to promise it will be hailed as the harbinger of better days, and responded to in a manner becoming a spirited and honorable people.

W. S. ROSECRANS."

To correct a misapprehension which appeared in an editorial notice of my Memorial in the *Springfield Republican*, I wrote

A LETTER TO THE EDITOR, SAM. BOWLES, Esq.,

from which I extract the following:

"I am not in for 'schemes' and 'speculations,' nor for *words without suitable actions*. It is not *simply* nor *chiefly* an 'act of incorporation'—if the right to incorporate can be so called—which is sought from our Government; all the 'incorporation' contemplated in my Memorial could be had under the laws of the State of New York, at a cost of ten dollars. Why then ask Congress for it? *Because business men and capitalists require, and the interest of the country demands, that our Government should declare a policy towards Mexico in accordance with our interest, our convictions, and the spirit of the age.*

"This policy is not to witness with heartless indifference the political and material difficulties and misfortunes of Mexico, and other southern neigh-

bors, while other nations win their trade and friendship. It is not to be foolishly led to employ our power to trample them down because they are weak. We are not to be responsible for their Government, nor the *payment of their debts*. What I propose for Mexico is, that, under the operation of the laws of business and interest, we promote her 'development under a government of her own,' and furthermore a way to begin the work.

"1st. IT IS JUST AND RIGHT, AND

"2d. Therefore wise and far-reaching.

"3d. It will declare that which the great body of our people believe, and what their interest demands.

"4th. It will put an end to doubts among the nations of the Western Continent, as to how we mean to act towards them, by declaring that we are for political and commercial FRATERNITY, and the closest union of interests consistent with the self-government of each.

"5th. It advises European nations that we propose to be the *elder brother*, not the brutal oppressor, of our neighbors, and neither desire to govern them nor to pay their debts.

"6th. It will lay broad and deep the foundations of our business relations with Mexico, and prepare markets for our future manufactures. Let us not forget that under tariffs we are learning trades, 'and when we open shop,' we shall want customers.

"7th. It proposes to do that for Mexico cheaply, peacefully, and under the operation of the laws of business, which, in any possible contingency, must be done before she be of use to herself or the world.

"8th. It takes political trump-cards out of the hands of gambling politicians, and gives them into the care of business people, who ought to hold them, since they will always have to pay for the game.

"Yours truly,

W. S. ROSECRANS."

Further explanations are given in the following :

EXTRACTS FROM A LETTER TO GOVERNOR HORACE AUSTIN, OF MINNESOTA.

"I frankly say to you that I am not in favor of annexation. I do not think our Government can take in so much untrained humanity and digest it without danger.

"I come to Congress by my memorial to get a *solemn declaration of national policy*, in favor of '*the peaceful development of Mexico under a government of her own.*'

"I want that declaration because, strange as it may seem, we have not been understood to have announced *any policy* towards Mexico or the countries south of her. Nor are we believed to have any. This is not because our people lack the intelligence to perceive its disadvantage to our national influence and our commercial interests. The great body of our business men have sound business and humane ideas in favor of the peaceful development of those countries under governments of their own. But their pre-occupations, and the cowardly and truckling spirit of political leadership in ordinary times, fearing to move for any thing important unless prompted, and instinctively clinging to the opportunities of playing upon national passions and feelings as trump cards in politics, produce this undesirable abuse of national policy which is practically a policy of the meanest and most mischievous kind.

"The result of it is, that instead of being regarded by our neighbors as an affectionate and powerful elder brother, in whose intelligent good-will they can all implicitly confide, we are considered as a powerful, selfish, rude and unscrupulous nation.

"I want Congress to declare the true feelings of our people towards Mexico by passing the preamble to my bill. The bill itself only gives the right to incorporate for the purpose of combining capital to undertake business under Mexican concessions—a privilege conferred by the laws of many States under general incorporation acts. But it is fit that some *practical* tender of action should accompany the solemn declaration of the good-will of the nation by Congress, and this will be effected by the passage of the bill, while its approval by the President makes him participant in the declaration."

A mere "Joint Resolution" would be less expressive and effective, because it would leave out the Executive Department of the Government and the President's sanction, and would appear much weaker because seeming to offer no practical action to correspond with the declaration, and through which it might be carried into practical effect.

The *Memorial*, not having received general publicity, has elicited but few editorial notices that have fallen under my eye.

The following, having some significance, are given :

THE NEW YORK TRIBUNE of April 1, 1870, says :

"THE NEED OF MEXICO.

"Gen. Rosecrans, who has represented us helpfully in an important but neglected field of American diplomacy, declares that we have 'no unequivocal policy of political, commercial and industrial fraternity' toward the Western Republics. The General well knows whereof he speaks. He has seen the great wealth of Mexico idle or misused; he has seen its people, unaided and unblessed, wanting the stimulus of capital, and the opportunities of industry which capital affords; in short, he has seen a great country awaiting its regeneration by means of enterprise. Like a practical man, he proposes that Congress shall at last announce a policy of 'industrial fraternity,' by giving powers to such mutual enterprises of railways and co-operating banks as Mexicans and Americans may agree upon.

"The General has learned, somewhat from experience, we imagine, that the most effectual way to secure national concession from the Southern Republics is to make national concessions in return. The Mexicans have often, of late years, been reluctant to make barren grants to foreigners, who came to trade upon their necessities. We do not wonder. But now suppose that, while we ask privileges, we can offer privileges, by giving to Mexican enterprise the warrant of our laws, with the aid of our money and national influence. Mexico will not twice ask herself whether the United States will help her."

In its issue of April 2d, the same journal says :

"REGENERATING MEXICO.

"We suppose we have seen the last of European attempts to interfere with the domestic affairs of Mexico. We hope we shall hear no more of schemes of annexation and intervention on the part of the United States. Yet we can not look on unconcerned while a magnificent country is going to ruin at our very doors, while fields lie fallow and mines unworked which might enrich our own commerce, and a people who, with all their faults, possess some of the most fascinating qualities of their chivalrous European ancestors, stand aloof from the path of progressive civilization which is improving the rest of the Continent. Mexico, under the liberal rule of President Juarez, has gained neither the political tranquillity nor the material prosperity which

her friends hoped for her. It is not the fault of her Government that her resources are undeveloped, her population too small and too much scattered to make the best use of the gifts of nature. The laws are well enough; the administrators of the laws are in the main enlightened and, so far as we know, honest and patriotic. But Nature, which has been so kind to Mexico in some respects, has been unkind in others. She has given a fertile soil and abundant mineral wealth, but she has not given the water highways which might be used to convey products from the interior to the seaboard; and the inhabitants, enervated by an unfortunate mixture of races and demoralized by generations of turmoil and misgovernment, have neither the energy nor the skill to supply their place. They are content to subsist poorly on what they can most easily raise near at hand, and send abroad their gold and silver, at enormous cost of transportation, to purchase luxuries at a ruinous price.

"To develop the wealth of Mexico and elevate the condition of the people, a system of railroads is Required, and a system of currency adapted to an extension of business operations. Gen. Rosecrans, who has long been known as a warm friend of our sister Republic, comes before Congress with a scheme for supplying these two wants. As he is an honest man, has the cordial support (as we are assured) of the Mexican Government, asks nothing of Congress, except an act incorporating a joint stock company, but assuming no responsibility, and lays it down as a cardinal principle that Mexico shall work out her own destiny, assisted by our capital and experience, but untrammelled by outside interference, we are disposed to give his Memorial a careful and kindly consideration. He proposes to form a railway company and a national banking company, to be organized under the laws of the United States, and to raise money by subscriptions, partly in Mexico, but principally here, though the nature of the operations will depend, of course, entirely upon the concessions that may be obtained from the Mexican Congress. If the money can be raised, we see more hope for Mexico in Gen. Rosecrans than in any of her own people. And, so far as we have seen, there is no good reason why Congress should not countenance the enterprise."

And on the 9th of May, 1870:

"MEXICAN INTERVENTION.

"The term of office of President Juarez is near its close, and the friends of Mexico are speculating with anxiety upon the prospects of that unfortunate country under the administration, whatever it may be, to which fate will next commit its destinies. It is hardly possible that the Republic, in its present social condition, should hold together much longer. It is hardly possible, either, that we should bear another generation of anarchy in a rich territory, right under our windows, with which our political and commercial interests are of a very important kind. No European power will be likely again to interfere with the autonomy of Mexico; but such a reign of disorder as the last fifty years have witnessed there would be almost as insupportable by the United States as the landing of another French army at Vera Cruz. We can never feel at ease until Mexico acquires political stability, not under the shelter of foreign protection, but by the action of its own citizens. The disorders which have so long torn the country spring, in a great measure, from peculiar social conditions. Mexico is a territory of vast extent and scattered population. The ambition of the people is to live with the least trouble, and little therefore is produced, except what must be consumed on the spot. If the abundant resources of the land were developed, there is no way of getting the product to market, for nature has not given Mexico the great river highways

which are so common in the United States, and a natural indolence, cultivated by long centuries of laziness, unfits the people for the labor of building roads. The precious metals alone are sent to the coast for export, because of these a small bulk is worth a good deal, and transportation is comparatively easy. The consequences of this system are, first, an inevitable encouragement of brigandage, and the various more or less political disturbances, which are only brigandage a little disguised; and, secondly, such a scarcity of money that commerce on any respectable scale is impossible. Thus the fields lie fallow, because there is no market; legitimate enterprise is barred, because there is neither the means of intercommunication nor a circulating medium; industry is crippled, because the money is sent out of the country for the purchase of luxuries; and thievery and violence are rampant, because there is no honest employment for active men, while every road and bridle-path glitters with temptations.

"We see no hope for such an unfortunate country, except in some friendly intervention which may create internal improvements, and develop the great pacifier and civilizer—commerce. Assistance such as this would bind together the loose elements of Mexican society, and give energetic spirits something better to think of than *pronunciamentos*. We have already spoken of Gen. Rosecrans' scheme of Mexican regeneration, and the more carefully we examine it the better we are satisfied that it is full of promise for our sister Republic, and indirectly for ourselves also. He purposes offering the capital and business energy of private American citizens to give Mexico the two things she most needs for the creation of her domestic trade and manufactures—namely, banks and railroads—and he asks from the United States Congress only a resolution of approval *and* a charter of incorporation for his company. The details of his project depend, of course, upon the concessions that may be obtained from the Mexican Government. We understand that, in its general features, it has the cordial approval of the Juarez administration. Subscriptions to the capital stock of the railway company are invited both in Mexico and in the United States. The banking scheme depends partly upon subscriptions and partly upon the business of minting, which the Mexican Government is willing to transfer to the company for a long term of years, reserving a partnership share in the profits. The bank is to issue notes to an amount not exceeding twice its paid-in capital stock, discount paper, make loans, purchase ore and conducta receipts for money or metals, make advances on exports, and furnish capital for mines, manufactories, and works of internal improvement generally. The particular provisions of this plan are the concern of the subscribers of stock and the Mexican Government, and we need not consider them here. Our chief interest is in the memorial which Gen. Rosecrans lays before the American Congress, asking a resolution of sympathy with his project and a charter of incorporation. We see no objection to granting these very modest requests. A resolution of the kind proposed would not involve us in any responsibility, and, if it is properly worded, need not be construed as a recommendation of Rosecrans' or any other particular project; while, as a declaration of the national policy, which ought to encourage all the nations in this hemisphere to work out their own destiny without foreign interference, and to strengthen themselves by domestic industry against foreign assaults, it would have no slight moral influence. The charter of incorporation would be valuable in the same way and to the same extent as the resolution of sympathy. It is not necessary, because the company can organize under the general laws of the State of New York; but the action of Congress and the President's signature would give an air of dignity and respectability to the scheme, upon which Gen. Rosecrans rightly sets a high value. The General's unsullied personal character entitles all his representations to the most respectful consideration, and we trust Congress will give him a hearing."

THE N. Y. NEWS, one of whose assistants has spent some months in Mexico, and enjoyed special advantages of acquiring information, in its issue of March 27, 1870, says:

"Amid such inexhaustible treasures of climate and soil, where the earth yields its fruits almost without culture, and food and flowers spring from the ground with spontaneous exuberance, the intelligent and inquiring scholar and philanthropist looked around for the civilization which was to second the impulses of nature, and for the capital that was to transport the products of so fruitful a clime to the busy marts of commerce and civilization. He saw eight millions of a mixed race, five-eighths of whom were Indians, and three-eighths Europeans, from a land itself not far advanced in the arts of peace; and he saw no evidence of those commercial and financial expedients that in less genial climes have made even the desert to blossom as the rose. There was no trace of the art of agriculture, no ingenuity or skill to improve on nature, and no capital adequate to the demands of advanced civilization and commerce.

"Should such an empire, with all its advantages of soil and climate, and which with culture and enterprise might be made to become a garden, to continue a waste? Its inhabitants were unequal to the task of redeeming it, and General Rosecrans conceived the idea of invoking the aid and enterprise of his own people, through their National Legislature. His Memorial to Congress, which has a place in our columns to-day, and his letter to us, giving in addition with brevity and succinctness the chief features of his plan, and the inevitable results of its adoption, which accompanies the Memorial, are worthy of public consideration, and of favorable Congressional action. The people will appreciate the General's views, and concur in his conclusions. We trust that Congress will carefully and deliberately entertain his proposition, and promptly aid in giving it support and insuring its success."

When I expressed to one of our distinguished Senators my surprise at the apparent apathy manifested upon a subject fraught with so many momentous consequences, he attributed it to the want of familiarity with Mexican matters, the terseness of the explanations in my Memorial, and the boldness and novelty of the remedies proposed for evils in Mexico, generally supposed chronic and incurable.

The hesitation and timidity displayed by cautious minds is doubtless heightened in some cases by the singularity of a single individual undertaking, at the expense of time and money, to invoke Congressional action, without a detectable appearance of "money in it." It is so unlike the "jobs" brought forward, with which habitués of the halls of national legislation are familiar!

And yet I have not presented it to the mind of a first-class man who did not see and understand it and become a convert, except, perhaps, one, who thought it would never do for our Government by any act to imply that it meant to afford its citizens going abroad that protection which the British Government regards as its indispensable duty toward its subjects.

He was, also, greatly opposed to annexation, and feared the effort to develop Mexico under her own autonomy, might, in some way, lead to it. He would throw us off the bridge on one side to escape the danger of falling off the other. I subjoin some views elicited from some of our leading men, who, after reading the Memorial, have written me on the subject.

THE HON. WM. H. SEWARD,

our illustrious and philosophic statesman, who, after his many years of great experience in public life, visited Mexico, and studied its condition, writes :

“AUBURN, March 24, 1870.

“MY DEAR GENERAL :

“Your memorial to Congress is singularly truthful and noble.

“Its publication ought to convince the country of the wisdom of the policy it proposes.” * * *

After expressing his fears that, perhaps at first “a law so great, so wise and benign,” might find obstacles, it being “indeed too unselfish and sagacious to be appreciated,” he adds, “Nevertheless, there is room for work—very encouraging, too—among the people, and I shall labor with you in every way.”

GOV. R. B. HAYES, OF OHIO, writes :

“STATE OF OHIO, EXECUTIVE DEPARTMENT,

“COLUMBUS, March 21, 1870.

“*My Dear General*: I have read with much interest your views and plans in relation to Mexico. The closing weeks of the session of the Legislature are crowded with work, and I have only time to say now that I shall be very glad to aid in promoting your views in any proper way.

“Sincerely yours,

“Gen. WM. S. ROSECRANS,

“New York.”

“R. B. HAYES.

GOV. JOHN T. HOFFMAN, OF NEW YORK, writes :

“STATE OF NEW YORK, EXECUTIVE CHAMBER,

March 24, 1870.

* * * * *

“As I understand the proposed act, it calls for no expenditure of money by our Government, and creates no governmental responsibility.

“The objects sought to be attained are very important. The field which it would open for capital and labor is very great, and the ends, with efforts, possible to be accomplished.

“I hope therefore the bill will pass, and will be glad to aid you any way in my power.

“Very respectfully yours,

“JOHN T. HOFFMAN.”

GOVERNOR PADEFORD, OF RHODE ISLAND, writes :

"STATE OF RHODE ISLAND, EXECUTIVE DEPARTMENT.
"PROVIDENCE, April 25, 1870.

"General: * * I have read your Memorial with much interest, and entirely concur with you in the views expressed therein. I shall, therefore, take pleasure in using whatever influence I may possess toward procuring favorable action upon it by Congress."

THE GOVERNOR OF ALABAMA writes :

"EXECUTIVE DEPARTMENT, STATE OF ALABAMA,
MONTGOMERY, April 20, 1870.

"GEN. W. S. ROSECRANS, *New York*.

"Sir: I am in receipt of your favor of recent date, in regard to proposed Railroads and Banking in Mexico.

"The proposed enterprises are novel in some of their features, and yet I see no reason why they should not be made a success. When it is known that Mexico is without railroads, it ought not to be surprising that businesses are languishing. * * The business which you propose, if formally entered upon, would speedily bring forth fruits of substantial prosperity, and those conducting it would be in no way identified with any of the political dissensions which might arise. Indeed, your successful enterprises would carry with them a moral influence that might contribute much toward preventing such dissensions, or allaying them if they should occur.

"Should an American system of banking and railroading be successfully introduced into Mexico, there would be a speedy development of her latent resources that would not only be a blessing to the people there, but contribute to the business and prosperity of neighboring nations, and particularly the United States. Increased prosperity would add to the capacity of that country to purchase many of our articles of export. * * * In other words, all the aid we render in building up Mexico is just so much done toward creating a customer to buy from us.

"Every thing considered, I regard yours as a praiseworthy scheme, and do not hesitate to express the sincere wish that you may succeed in obtaining the necessary legislation from Congress to enable you to organize your companies for practical operations in Mexico.

"Very respectfully,

"W. H. SMITH,

"Governor of Alabama."

From another quarter of the Union, comes the following spirited and decisive note :

"YANKTON, DAKOTAH,
"April 15, 1870.

"GEN. W. S. ROSECRANS, *New York*.

"Dear Sir: Your favor of the 16th ult., inclosing your Memorial to Congress on the subject of Mexico, has been received.

"I fully indorse the views you have so clearly elucidated, and shall promote them zealously, whenever opportunity occurs.

"I hope to be in Washington before the adjournment of the present session of Congress, when I shall be pleased to co-operate with you in

pressing your generous and enlarged views upon those of my acquaintance at the capital.

"Hoping that your valuable life may be preserved to complete the fulfilment of your great scheme for the redemption of unfortunate Mexico, I remain, General, with sentiments of profound admiration and regard,

"Your obedient servant,

"A. J. FAULK,

"Governor of Dakotah."

SENATOR MATT. H. CARPENTER, the energetic and able young Senator from Wisconsin, sound of head and warm of heart, says:

"WASHINGTON, Feb. 24, 1870.

"GEN. W. S. ROSECRANS.

"*Dear Sir:* I have carefully, and with interest, perused the papers submitted to me by you, embodying your views of the best method of securing the advancement of Mexico, in the material improvements characteristic of modern civilization, and my opinion is that the accomplishment of your plans is a '*consummation devoutly to be wished*,' for the good of both Mexico and the United States.

"So vast a country adjoining our own, with a form of Government modeled after ours, must always be a source of advantage or of trouble and embarrassment to us.

"Of all Mr. Seward's public services, none deserve more lasting gratitude from the American people than the brave and noble stand taken by him, while Secretary of State, in relation to the attempt of France to establish a monarchy in Mexico.

"The independence of Mexico is a political necessity to us, and its prosperity and progress, politically and materially, must always be of importance and benefit to this country.

"Under our present circumstances, just emerging from civil war, and still tossed by the waves of a subsiding revolution, the annexation of Mexico would be dangerous, and much to be deprecated. * * *

"But no man can doubt that it is the duty and policy of this country to contribute, in every practicable way, to enable Mexico to improve and advance under an independent nationality.

"It seems to me your papers demonstrate that this can be done, and that effectually, in the manner you propose. * * *

"Very truly yours,

"MATT. H. CARPENTER."

These are some of the many favorable opinions I have received in reference to a policy for the salvation of eight millions of people, by the operation of commercial and industrial laws, always simple, benign, and humane in their working.

"But," you naturally ask, "what do the Mexicans think of it?"

Whoever knows how slowly new ideas enter the minds of the untrained masses—how railways have been doubted and street railroads opposed by local populations, even in our chief cities, within a very recent

period—would imagine the Mexicans the last to understand or appreciate this policy.

Let the fact stated at the outset of this letter not be forgotten, “Mexicans commonly think the people of the United States despise and hate them, and mean, sooner or later, to destroy them.” Think of this! You will then appreciate the significance of what follows.

The responses of the chief of the Mexican Cabinet have been quoted. Since my return to this country, I have received numerous letters from members of the Government, of Congress, and from distinguished citizens, all expressive of solicitude that I should persevere in my efforts to secure the adoption of the policy I am urging upon your attention.

My Memorial to Congress, on reaching Mexico, was translated under the supervision of a member of the Cabinet, and published, with favorable comments, in all the Official Journals. And the Mexican Government and people are now *watching with anxiety to see what our Congress* will do in the premises. They very naturally suppose Congress to represent the people, and think, if they really felt as I have represented, they would promptly say so, by making the declaration prayed for in my Memorial.

The following extracts from letters show how the writers, leading Mexicans, regard this policy, and ought to be found significant and instructive :

FROM MR. ROMERO, MINISTER OF FINANCE.

“MEXICO, March 10, 1870.

“*My Dear General*: I am very glad to hear you are not discouraged about your generous views toward Mexico. I did not expect less from you. * * * We will do here all in our power to co-operate with you in your noble and disinterested efforts to do real good to Mexico. * * * If your labors are now misunderstood by some, they will receive applause and thanks hereafter from all. I am confident of this.”

Again he writes :

“MEXICO, March 28, 1870.

* * * “Your plans about the peaceful development of Mexico, under her own autonomy are gaining ground every day among the thinking and patriotic men of Mexico. * * * If you persevere in them, and succeed in carrying them out, you will be looked upon as the savior of Mexico, and a benefactor of mankind. I hope Mr. Seward has been able to be of some assistance to you during his stay in New York. He so intended while he was here.”

Again MR. ROMERO writes :

"April 3d, 1870.

* * * "Affairs continue to improve here since my last, although slowly. * * * We need very much the development of your plans to change our condition materially, and to begin the career of progress and happiness to which this region is destined. * * * Please keep me informed of the progress you make in your efforts to help Mexico."

SEÑOR YGN^o MARISCAL, MEXICAN ENVOY, writes me :

"WASHINGTON, D. C.,

"March 1, 1870.

"*My Dear General:* * * * I am free to say I fully concur in your views about the convenience to both countries of having the resources of Mexico developed by American enterprise under her own autonomy. The feasibility of this, and the sure effects it would have of doing away with political troubles in that country, where, even now, proper investments of capital are perfectly safe, are matters of my deepest conviction. Capital, as you have observed, knows how to defend itself, and in no country has this been better illustrated than in Mexico. For there even capital in no way connected with the public good is respected and influential. What, then, would be the case with money invested in any great enterprise unquestionably for the benefit of the country?"

"All parties in Mexico now agree in the necessity of importing capital to aid in the development of her dormant riches.

"The want of currency from the continual drain to pay for our exports has always been felt, and more than ever during the last few years. The lack of a banking system has given the business of the people into the hands of a few grasping usurers.

"Your bank project, therefore, commends itself to the Government and people of all classes in my country.

"In conclusion, your general views on both projects are founded upon your knowledge of my country, which I saw you study carefully, and meet my hearty approval, and I am free to say so now, as I may do to my own countrymen should I make a visit there during this summer." * * *

SEÑOR DON BLAS BALCARCEL, MINISTER OF THE INTERIOR, writes :

"MEXICO, March 9, 1870.

"*My Dear General:* I have received your esteemed favor, inclosing a copy of your Memorial to Congress. I feel highly gratified by your attention, and you may be assured that all patriotic Mexicans hold in common the conviction that to the execution of important public works of improvement we must look for the peace and future prosperity of our country.

"Both the Mexican Government and people are laboring assiduously to secure this end."

Fellow-citizens, can you read such language from these leaders and not be touched?

When they thus proclaim their national necessities, and implore capital and enterprise from the United States to aid them—when every newspaper fresh with news from Mexico is an audible cry of national anguish—shall this nation remain deaf to the call, when to respond demands no appropriation of public moneys, no public meetings and harangues to excite popular sympathy—when all that is needed is that Congress shall *declare a policy of national and business sympathy*? Would not failure to do so be monstrous?

Let not the inarticulate cry of this people's anguish reach your ears in vain, lest peradventure the cry of the poor enter into the ears of the Lord of Sabaoth, and He avenge their cause.

In the name of vast national interests, in the presence of impending dangers, for the sake of justice, mercy, humanity, and civilization, less than a cup of cold water has been asked of Congress, and shall that cup be withheld at this critical moment?

Will those who comprehend the national and individual blessings to flow from the peaceful development of Mexico under a government of her own, and dread the dark catalogue of crimes, bloodshed, wrong, and wretchedness, in the protracted future of her failure, do what they can to avert these evils?

Your fellow citizen,

W. S. ROSECRANS.

VALEDICTORY ADDRESS

OF

GEN. A. M. WINN, President,

TO THE

MECHANICS' STATE COUNCIL

OF CALIFORNIA,

IN SAN FRANCISCO, JANUARY 11, 1871.

WITH AN APPENDIX,

CONTAINING

The Minority Report made by Hon. PHILIP A. ROACH, in the Senate of California, March, 1852; and a speech of his made at Oakland, June 30th, 1870.

ALSO,

The Celebrated Letter upon the Chinese Question, by HENRY GEORGE, published May 1st, 1871, in the N. Y. Tribune;

AND A

LIST OF OFFICERS AND MEMBERS OF THE MECHANICS' STATE COUNCIL,

JANUARY 11TH, 1871.

PUBLISHED BY ORDER OF THE COUNCIL.

PRINTED BY THE SAN FRANCISCO CO-OPERATIVE PRINTING COMPANY,

Nos. 411 Clay and 412 Commercial Streets.

1871.

Industrial Exhibition

VALIDITY ADDRESS

GEN. A. M. WILSON, President

WILSON'S ADDRESS

THE WILSON ADDRESS

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VALEDICTORY ADDRESS

OF

GEN'L A. M. WINN, President,

Delivered January 11th, 1871,

AT EXCELSIOR HALL, IN THE CITY OF
SAN FRANCISCO,

To the Mechanics' State Council of California.

GENTLEMEN:—My labors as President of the Council end with this communication. Four times you have elected me to the office; for more than three years I have served you faithfully; conscience approves all I have done; no day has passed since my first election that I have not tried to do some good. Now my connection with you must cease—it is time. The loss of time and expenditure of money is more than I am able to bear, and more than should be expected of any one man. I hope my successor will be able to do more than I have to improve the condition of mechanics and other laboring men.

The experience of another year has proved that we are right. The public mind is greatly relaxed in its opposition to labor interests. Severe denunciation has come from some of the opposing journals; a severity, however, softened as much as it could be without displeasing their readers who have money and want cheap labor.

Errors of the past are now too plain, but more than counterbalanced by the good we have tried

to do. Past events crowd reflection, each demanding a historic page. Our will would record them all, but the hurry of life prevents even a passing notice of any but the more prominent.

At your last annual meeting I was in Washington City, when you honored me with the fourth election to the office of President. I was there trying to convince the nation's representatives that we had rights they were bound to respect. How far I succeeded you have long since determined. My acts have gone into the pages of journal history, and have met your approval. I might have done more to advance the cause, but I could not afford to spend the money necessary to accomplish it. No one has paid me one cent for my services, or assisted me the amount of one dollar. Errors committed become plain to our understanding, but we cannot recall the acts of yesterday. Time, in its course, is ours for improvement; may the morrow find a record in our favor.

In August, 1869, I went to the Atlantic States, and remained there until March, 1870. While in Washington City, the mechanics organized a

Council similar to our own. It is intended to embrace the Associations of Maryland and the District of Columbia. It did much good while I was there; I know but little of its operations since. It served as a nucleus for united action, and had its influence upon the minds of Congressmen for the good of the workingmen of the country.

THE EIGHT-HOUR QUESTION.

Senator Morrill, of Vermont, proposed to repeal the eight-hour law. I went to see him, and had a long talk upon the subject. His views are those of selfish, rich men, who, having the means to hire, must have all the labor they can get for the smallest possible amount of money. He made a speech in favor of repeal and against the eight-hour system. Our opponents took it as conclusive against that favorite measure of reform. I answered in a speech which was published. It was taken by our friends to be conclusive against his arguments. Time and men will determine between us. They are of record. The rising generation will be able to properly judge of our opinions. There I let it rest.

You sent me printed copies of the following preamble and resolutions, one of which I sent to each member of Congress and the President of the United States:

PREAMBLE.

WHEREAS, The Mechanics' State Council and Trades' Association were organized for the purpose of improving the condition of the producers of our country, and having sought and obtained the passage of an eight-hour law by the State Legislature and the Congress of the United States, which the officers of the Government and contractors on public works are constantly trying to evade; and whereas, Our object in securing the passage of the law was to establish the principle that eight hours' labor is enough for a day's work, and that all public work should be done at that rate: therefore

Resolved, That we are not content with a law that does not absolutely require that all public work should be done at eight hours a day, without the chance of evasion.

2. That we wish the people to understand that our object is to establish the eight-hour system of labor throughout the whole of our country.

3. That we request our State Legislature to pass such an amendment to the present law as will carry out our views as herein expressed. That copies of this preamble and these resolutions be presented to his Excellency Governor Haight, Lieutenant-Governor Holden, and our Senators and Representatives in the Legislature of this State.

4. That the Congress of the United States be, and is hereby, requested to pass an eight-hour law that will positively require that the public work shall be done at eight hours for a day's work, making it a penal offense for its officers and contractors to evade its provisions.

5. That General A. M. Winn, President of the Mechanics' State Council, and now at Washington, be requested to impart this information to our Senators and Representatives in Congress,

and to the President and Vice-President of the United States, and that all laboring men and associations formed by them be requested to act with us in trying to secure the passage of laws to improve the condition of the toiling masses.

6. That labor associations of every kind, and in every portion of the country, be requested to recognize General A. M. Winn as our representative, and to render him such aid and information as may be necessary for the good of the cause.

S. N. GRUBE, Acting President.

W. D. DELANY, Secretary.

To this I received answers from Hon. S. B. Axtell and Hon. James A. Johnson, two of our Representatives, and from Hon. Eugene Casserly, one of our Senators in Congress. The answers were all favorable to the views therein expressed, and were published at the time, for the benefit of our constituents and the public generally.

A NATIONAL EIGHT-HOUR EXECUTIVE COMMITTEE

Was organized, composed of the Presidents of State and National Mechanic organizations. Of this, I had the honor of being chosen chairman. At our meetings, backed by the "Mechanics' State Council of Maryland and District of Columbia," we proposed amendments to the eight-hour law to prevent its evasion. All over the country public work was being let out by contract, and the contractors permitted to hire their hands for any number of hours per day. The necessities of men drove them to accept any terms proposed by their tyrant masters.

We desired to correct this, by so amending the law that all public work should be done at eight hours per day, whether done by the day or contract. The proposed amendment was sent to the House, duly presented, and found its way into the pigeon-holes prepared for the convenience of members who have but little time to attend to the urgent wants of the people, until some new and overpowering excitement shall bring them forth.

CALIFORNIA REFORM LAWS.

In this State we have secured the passage of an eight-hour law, a lien law, and a law protecting the wages of labor. All of them are more or less defective. The eight-hour law has been greatly strengthened by the passage of an act that all public work shall be done by the day; but every possible obstacle is thrown in the way of its execution.

THE REGENTS OF THE STATE UNIVERSITY

Determined to let, by contract, the erection of their buildings; J. W. Duncan, Superintendent, was instructed to advertise, and did receive proposals. The Council protested in positive terms, and decided upon injunction; then the

Regents obtained the opinion of the Attorney-General, which, being in accordance with the law, they changed their course, and are now doing the work by the day.

I am assured by the Superintendent that, so far, they have done better work than is usually done on public buildings, and for less price than the lowest contract bid.

Governor Holden, one of the Regents, has been our friend all the time.

Public work ought not to be done by contract. It always costs more, and, as a general rule, is not as well executed.

THE NORMAL SCHOOL BUILDING

Is being erected at San José, under the management of Trustees. It was reported to the Council that they were working their men ten hours per day, in violation of the eight-hour law. We inquired into it by committee and found it was not so, the rumor having grown out of the fact that the Superintendent had accommodated some of his men by allowing them to make two extra hours in the day. The Trustees also put a stop to that, by directing that the journeymen were not to make more than eight hours a day, as there were plenty of idle men, who would be glad to get that amount of work. Thus it illustrates one of our reasons for the system: that is, as there is not work for all, it should be divided by requiring a smaller number of hours for a day's work. Hon. O. P. Fitzgerald, State Superintendent of Public Schools, politely answered our questions and contradicted the rumor. The correspondence has been published.

REFORMATION

Of every kind must of necessity meet with opposition. It would hardly be considered a reform without it, and the greater the good to be effected, the more determined resistance is made.

The establishment of the Church, Sunday Schools, free institutions of learning, and other measures designed to protect morality and punish vice, all have their bitter opponents.

WHEN THE TEN-HOUR SYSTEM

Was first agitated in the United States, it met with severe denunciation, and, as it ripened in the public mind, employers continued to condemn the action of their workmen, until by degrees it became the acknowledged principle in all the Southern and Western States.

I am not aware that any State ever acknowledged it by law; but I am informed that Martin Van Buren, when President, directed that on the public works ten hours should be a day. From that time it seems to have been generally practised, except in the Northern States, where, in the factories, even twelve hours a day is considered too little in some places.

THE SABBATH

Of the Lord was no doubt instituted to modify the exactions of avaricious men, and protect both man and beast from over-work, thus providing that one-seventh of the time should be devoted to rest. It was a great improvement for that age of the world. Even this great and good reform meets with denunciation. It is being constantly opposed by some of the most intelligent men even in this age of progress.

It must have been a greatly needed reform, judging from the fact that the Giver of all good saw the necessity for it, and from the mountain top proclaimed the law for the government of his people. It is the command of God coming down to us through a long line of generations, both Jewish and Christian. It would not have

done to have left it a subject of legislation. The human mind is too vacillating; the people are too fickle; they are by nature too cruel. "Man's inhumanity to man makes countless thousands mourn." It is the command of God, "Thou, nor thy son, nor thy daughter, nor thy man servant, nor thy maid servant, nor thy cattle, nor the stranger within thy gates," shall do any work on the Sabbath day. That reform is the glory of the world. To all coming generations it will be a bright, humane and holy example for the people and rulers of nations, and will be so respected to the end of time.

THE EIGHT-HOUR SYSTEM

Will never be established with the consent of the rich, until necessity has made it a rule like that of ten hours a day.

The workman must have for his labor enough to support himself and family. If he cannot get it in one place, he must go to another; and aside from labor he must also have time to read and understand more of life than its mere drudgery. Workmen are alive to the fact in every part of the country, and will not be content until it is accomplished.

We cannot control wages, for good and sufficient reasons. If there are too many hands, wages will be low; if too small a number, they will be high. The man who has learned his trade regularly is worth more than one who has picked it up along through life. Employers must judge of the ability of men to do their work profitably.

But in shortening the hours no one is injured; all are benefited in the end, except on farms or vineyards, where the work is of necessity irregular. Such labor is excepted in the eight-hour law.

THERE IS AN INEQUALITY

Among the laborers of the Government that no one attempts to correct. The clerks stay in their offices at light work five, and some six hours a day, without a law fixing the time, while the mechanic who swings the sledge or shoves the plane is made to work eight hours, if working by the day for the Government; but if for a contractor on public work, the law is evaded, and he is required to give ten hours for a day. Why does not the Government look into this? It is high time we had an answer.

A WISEACRE

Of the *Bulletin* not long since took occasion to attribute the depressed condition of business to the inauguration of the eight-hour system of labor. The whole article is erroneous, and shows plainly he did not understand the subject.

Hard times are not confined to this city. There are more men idle in New York than here, in proportion to population, and more in Chicago than either place. We might as well say a drought or overflow was the result of some labor reform.

The fact is, our labor-saving machinery is now doing so much of the work necessary for civilization, there is not enough to keep mechanics employed at ten hours per day; it is so everywhere. The only effectual remedy is to reduce the day to eight hours' work.

"LET US REASON TOGETHER."

We have in this city 150,000 inhabitants—one-fifth of them do the work for the other four-fifths, including women, children, cripples, deaf, dumb, insane, old people, etc. That gives us 30,000 working people. The eight-hour system lasted through 1867-'68. Then times were good, and prosperity seemed to have no end; but spec-

ulation ran high, and banks had to draw in until the people came to their senses. In 1869 and '70 the steamship companies, the *Alta*, and *Bulletin*, succeeded in bringing to this city an immense population to break down the eight-hour system and the trade associations. In this they have partly succeeded, for very few have been working but eight hours for a day during the last two years. Then, the eight-hour system could not have been the cause, but just the reverse; the breaking down of the system produced a reaction that brought about the depression in business.

LET US SEE IF WE CAN PROVE IT.

Thirty thousand laborers working at eight hours a day, make a city of 150,000 inhabitants, according to the statistics of the United States. The houses are filled, rents are high, and more buildings are going up to meet the expected demand. All at once we make them work ten hours a day: 6,000, or one-fifth of them, are out of work; they must go to some other place, and take with them their proportion of the population, which, with themselves, is 30,000—the city is then decreased one-fifth. The houses occupied were, say, at least one to every ten; then 3,000 houses are vacated; late census statistics say 2,600. Building ceases; there is no further use for new houses. Some can't see what is the matter, and go on with their buildings, and find they cannot rent them when done. We had stores of clothes and goods for 150,000; now there are only four-fifths of that number; 30,000 less mouths to eat and drink; 30,000 less backs to clothe; 30,000 less to get sick—the doctors feel it sensibly, and indeed every business is decreased, just in proportion to the number sent away to make room for ten hours' work. But still worse, the amount of work for 150,000 is not necessary for 120,000 population; and as there are already too many houses and too much goods, the work for the decreased number is not necessary either. As they cannot get work, how are they to buy goods, pay rent, employ a lawyer or doctor, or feed their children?

IT IS A POOR RULE THAT WON'T WORK BOTH WAYS.

Let us work it back. Now we have 120,000 population, with 2,600 vacant houses. Let us set all the men to work at eight hours a day, then we shall want 6,000 more workmen. They bring with them 24,000, being their proportion of idle population, making 30,000 population added. They want 3,000 houses; we have only 2,600, then 400 must be erected. Thus, the work is increased, and all other business is increased just in proportion. Flush times are upon us, and the people are again crazy about real estate. That was just the state of things in 1867 and 1868. But I can not give too much time or space to one subject.

THE CHINESE QUESTION

Is the next subject we propose to consider. This is really a revolutionary *curse*, so bad we scarcely know what to say about it. I saw the first lot of them that came into Sacramento in 1849. They were women of the most disreputable class. Col. Samuel Norris had been in China, and was an old citizen of California. He warned us against the Chinese, and told us, twenty-one years ago, just what is now upon us. In 1852 many of our people were so anxious to obtain cheap labor that the Legislature took the subject under consideration. It was referred to a committee in the Senate, of which Hon. Philip A. Roach was a member. He, with prophetic foresight, opposed the measure with his powerful influence. But, being borne down by num-

bers, he could only enter his protest by minority report, which prevented the passage of the bill. A copy of the report accompanies this communication, to be found in the appendix.

It is but just to state that he has ever since opposed that kind of cheap labor, and fought against the introduction of Chinamen to compete with the mechanics and laboring men of our country. He also favors the eight hour system and every reform asked for by the labor organizations of this State. His speeches at the labor meetings in this city and Oakland are evidences of his true devotion to our cause. There are others I might name, but his opinions run through more than eighteen years. This is remarkable, considering the great uncertainty of political opinion.

He has been, and is now, one of the proprietors of the *Examiner*, which has been our friend all the time; not only have they published our news, but often defended our rights in lengthy and pointed articles of meritorious argument, not excelled in any of the labor papers of the United States.

The rich and the poor suffer alike from their presence. It is said we have but 10,000 of them among us; be it so. They have no families, they support none but themselves. That 10,000 take the place of 10,000 white men; as the whites are compelled to leave, they take with them four times their number, or 40,000; thus they decrease the population of our city one-third, or 50,000 inhabitants; and then for whom would the 10,000 slaves labor? They make clothes, shoes, slippers, and boots, but they don't wear them; they make cigars, but they don't smoke them; they make doors, blinds, sash, and other wooden material for buildings, but they don't use them; and the people deprived of work on account of their presence have nothing to buy with. Who would consume their product? Who is benefited by their work? To what end are we tending? No consumers—no one benefited—and we are tending to destruction, with fearful rapidity. Can it be that Congress will continue this social cancer, or will they arrest its progress before it is too late? or must we suffer on, to please a few men who wish to make a fortune out of Chinese labor? If so, no white man will want his son to learn a trade to be their equal.

Since that time a great many have expressed their views upon that subject; among them was Governor John Bigler, who, while in office, sent an able message to the Legislature of this State, upon that particular subject. It was published within the last year. I have not a copy, or I would lay it before you. It is an able State paper.

Having a copy I append the able letter of Mr. Henry George, of this city, which was published in the *New York Tribune* May 1st, 1869, and called much attention to the subject in the East.

But we need no argument in this city. A committee, having visited their dens, report that "No language can adequately describe the crowded, filthy, abominable condition of Chinese life in our midst; it disgusted us to see, and puzzles us to describe it. Two or three hundred of these wretched creatures lodge at night in one house. Some houses have five hundred lodgers, others a thousand, and one called the "Globe Hotel", a three story building, corner of Dupont and Jackson streets, standing on a piece of ground only sixty feet square, holds two thousand five hundred. All the way from the basement to the roof of a dwelling, bunks, about the size of coffin are fixed up; into each bunk turns a night-lodger.

"The ground beneath their houses is burrowed even under the street. Wherever a space can

be burrowed or scooped out, that would hold a coffin, there a lodger may be found at night. There are innumerable subterranean halls accessible by secret passages only known to Chinamen, where gambling is carried on day and night; also other dark dens where crimes that cannot be named are habitually committed."

Such is our condition, and no relief is offered. Chinamen are filling the place of chambermaids—permitted to handle, wash and dress little girls in the presence of mothers, while dressing themselves with even less precaution or modesty than would be manifested in the presence of their husbands; and yet husbands praise up the Chinamen without seeming to think of the fact that they are leading their families to destruction.

WHAT THEY MAKE.

Boots, shoes, slippers, cigars, paper collars, cheap clothing, doors, blinds and sash, are now made by Chinamen, at a price that would starve a white man and his family. All the work that poor white women could do is done by Chinamen. Such are facts. Where is the remedy? Who can fathom the depth of degradation now marked out for mechanics and other laboring men? Our apathy is wonderful. Some years ago a riot occurred on the Isthmus of Panama, and the whole people was ready to wreak vengeance upon the barefoot soldiers of that country. Now we hear of the horrible massacre in Peking without the movement of our irritable muscles. In the North China *Herald* we find an account of it, from which I make one extract. After referring to the murder of the French Consul, and speaking of the murder of a priest, it goes on to say: "The infuriated crowd tore out his tongue, cut out his eyes, and ripped up his belly." Of the Sisters of Charity it says: "The mob commenced their wicked and cruel butchery by tying the Superioress by the hands and feet to something against the wall, and then cutting her in two, through the entire length of her body, in sight of her other Sisters. They stripped them all naked, exposed them to public gaze, plucked out their eyes, cut off their breasts, ripped them open, dragged out their hearts, deliberately cut them to pieces, and divided portions of their flesh among the infuriated mob. One Sister, after having her hands and feet cut off, was raised up in the air on the point of a spear. The hospital and buildings adjoining were burned, the mutilated remains of the dead Sisters were thrown into the flames, and about 100 of the school children who had concealed themselves in the cellar of the Hospital perished by suffocation." If you desire to know more of the race that is to overrun this country and degrade labor, I advise you to read with care "Incidents of a Diplomatic Career in China," written by Ross Browne and published in *The Examiner*. It is to be hoped this will be published in book form. The world ought to know something more of the wretches with whom we have to deal. I have read the numbers already published with deep interest, with feelings of indignation easier felt than described. But enough of this.

A LABOR PARTY

Must occupy a portion of this, my valedictory. "This is the rock on which we split." On the 8th of July, at the great anti-Chinese mass meeting, the Council was requested to present a plan for organization to oppose the immigration of Chinese laborers and cultivate public opinion up to the abrogation of the treaty, and not to form a party. On Monday night, the 15th of August, 1870, the Convention met with numbers that gave evidence of great enthusiasm. As

soon as the officers were elected, I saw the object was to run the Convention into a Labor party. On the evening following, I met with the House Carpenters' Eight Hour League, which I had the honor of representing in part, and reported that this being a national question could only be settled by the Senate of the United States, which is the treaty-making power. To abrogate or modify the treaty the proper notice must be given, and when the time expires it can be done, and not before.

Should this Convention nominate or endorse a ticket it would bring it into contempt, and cause dissension among the Leagues. If the Convention changed its Constitution, or attempted to draw us into a political party, I suggested the withdrawal of our delegates; that I could not be party to such a suicidal measure, nor did I think they desired it.

Whereupon the following preamble and resolutions were unanimously adopted:

PREAMBLE.

WHEREAS, We have learned with regret that quite a number, and perhaps a majority of the Anti-Chinese Convention are in favor of nominating candidates for city officers, or endorsing those who may be nominated; and whereas, We learn that it now proposes to amend the Constitution and change the powers and duties of that body, so as to create a labor party, therefore,

Resolved, That we are opposed to changing the Constitution so as to increase or diminish the powers and duties of the Convention.

Resolved, That we are willing to sustain the Convention in seeking to abrogate the treaty with China, and nothing more.

Resolved, That if the Anti-Chinese Convention shall amend the Constitution so as to enlarge its powers, or shall nominate or endorse candidates, our delegates are hereby instructed to withdraw and report to this League.

Resolved, That we approve the course of Gen. A. M. Winn, in resisting any attempt to go outside the Constitution under which we elected our delegates to the Anti-Chinese Convention, and have full confidence in him as our representative in that body.

My opinion having been fully sustained, we returned to the Convention and remained until by a close vote it agreed to nominate candidates; then we withdrew, and all the delegates of other labor associations followed.

A Labor Party has proved a failure wherever it has been tried; nowhere has success perched upon its banners. In Cincinnati it only cast about 300 votes, and about the same in this city. In New York they have not elected a single officer. In Massachusetts, they nominated Wendell Phillips, a very popular Republican, for Governor, and he received 20,000 votes. They have just enough members in the Legislature there to deprive them of the power or assistance of either the old parties. It is not reasonable to expect the laboring men to leave parties that embrace in their platforms all political differences, including the labor interests, merely for the sake of saying we belong to a Labor Party. In all cases where we have tried it we have obtained our wishes through the parties to which we belong. Neither of them can do without us, we can surely control them both. That is better than to have a party without the necessary power to accomplish any good for men who work for a living.

Determine what you want in the shape of legislation; demand it of the political parties to which you belong, and my word for it, they will grant it; no party will risk the loss of your votes.

But you must make known your wants, not by self-constituted committees, but through properly elected representatives from the trade and other labor associations.

You need organization—not such as you have now, but strong, effective associations, composed of men, who, knowing their rights, dare maintain them: where the weak will be encouraged and the strong will be strengthened, by the constant attendance of the members.

Before closing this, my last communication, I cannot refrain from recommending to the trade associations, the adoption of the beautiful and effective work of the

ECUMENIC ORDER OF UNITED MECHANICS.

In its organization it is very similar to the Masons and Odd Fellows, being more extensive in its intention of action. Its head is an "Ecumenic Congress," composed of delegates from "National Supreme Councils." Each Nation is to have such a Council, which is to be composed of past and present Grand Architects of "Worthy Grand Councils" of States, Territories, Districts, or separate National Trade Organizations.

The primary organizations are Shops and Senates, and are under the control of Grand Councils. The Grand Councils are composed of past and present presiding officers of the primary associations, and are denominated "*past architects*." The Shops are business societies, without pecuniary benefits, and are adapted to separate as well as mixed trades. The Senates are beneficial institutions, of which no one can be a member unless he is a member of some Shop in good standing. The whole together is a beautiful system, exclusively for the use of mechanics. A man must be a mechanic to be a member, as it looks to the final establishment of the eight-hour system, and other reforms.

The objects are expressed briefly in section one of article three of the Constitution.

ARTICLE THREE OF THE CONSTITUTION.

"SECTION 1.—The objects of this organization are, to unite the mechanics of the world in one

active, effective body, the better to protect themselves; improve their social condition; render trade and tradesmen more respectable; encourage ingenuity; reward genius; teach temperance and morality; and make better mechanics by a well directed system of education. To that end, the ECUMENIC CONGRESS, or a Most Supreme Architect, will establish National Supreme Councils. A National Supreme Council, or the Supreme Architect, will establish Worthy Grand Councils of States, Territories, Districts, or separate National Trade Organizations, and Primary Associations where no Grand Council exists."

On petition of ten or more respectable mechanics of one or more trades, a dispensation will be granted to open and conduct a shop in any city or town in the United States or on the Continent. No particular form is necessary; but names, ages, trades, and residences must be given, and the petition sent to me for the present, and until a Worthy Grand Council is organized, of which due notice will be given.

My communication would be too long to give the views of others, but they may appear in the appendix should this be published in pamphlet form.

Accept my thanks for your kindness, and co-operation during the last four years. And I hope you will continue to look after the interest of working-men, and keep clear of party nets, that will be laid to catch you. Be assured I will continue to help you all I can.

Yours, fraternally,

A. M. WINN,

President of the Mechanics' State Council
of California.

SAN FRANCISCO, January 11th, 1871.

Then, on motion, the Council requested Gen. Winn to publish his communication; and, by unanimous vote, he and Charles C. Terrill were unanimously elected Honorary Members, for and in consideration of their faithful and distinguished services as Delegates in Council.

[From the San Francisco Examiner, July 8th, 1870.]

MINORITY REPORT OF HON. PHILIP A. ROACH,

SENATOR OF THE DISTRICT OF MONTEREY AND SANTA CRUZ,

Made March 20th, 1852, on the Bill to enforce Contracts for Labor within the State of California.

[PUBLISHED AT THE REQUEST OF MECHANICS' STATE COUNCIL.]

When the report was submitted, resolutions had been introduced in the Legislature in favor of Kossuth, and also some strongly condemnatory of Louis Napoleon. Mr. Roach thought proper, under the circumstances, to make some remarks upon our reciprocal obligations with Europeans who had the right of naturalization, and who were entitled to pursue any business within our State which by treaty was granted to our own citizens by their Governments.

On motion of Hon. Royal T. Sprague, one thousand extra copies were ordered printed. This report is now republished, over eighteen years since its delivery, at the request of the Mechanics' State Council:

REPORT.

MR. PRESIDENT:—As a member of the Select Committee to whom was referred the Senate Bill No. 63, for Contracts for Foreign Labor, dissenting from the opinion of the majority recommending its passage, with certain amendments, I respectfully beg leave to state a few of the objections I entertain as regards its utility, propriety, and expediency.

LABOR CONTRACTS.

The object of the bill is to introduce within the State of California the cheap labor of Asia and the Pacific—for, from their proximity, it would first overrun our land—then every other portion of the globe is invited to follow our example. It provides for the enforcement of contracts made under it for a term not exceeding five years.

Our State, thus far, has presented to the world the unprecedented example of labor, without any special legislation in its favor, and left perfectly free to find its rewards, with the few but just regulations made by the workmen themselves, creating, within a few years, a greater amount of wealth than the industry of any other people ever produced during the same period. The system which has led to this result, and

which has invited to our shores the enterprising and industrious of all nations, if left free to its own operation, must continue to produce the same developments which have already marked our history, and which have added immense wealth to the capital of the world, while it has raised the thousands who have produced it to comfort and independence.

UNWISE PLEA FOR THE LAW.

The necessity of passing a law of the nature of this bill, is the allegation that "labor is too high;" hence we are called upon to enact a law, by which the surplus and inferior population of Asia may be brought into competition with the labor of our own people, as also that of the parent races from which we spring. The matter presents itself, in the first place, as a question to those who wish to employ labor—whether it be an advantage to obtain the labor of Asiatics, at the prices paid where population is superabundant, or increased only by the cost of transporting it to our shores; or whether they should pay the prices that it now freely commands among us.

The answer that may be given to this proposition is doubtful; for, if those employing labor contemplate a permanent residence amongst us, there are many considerations superior to their immediate interests, which ought to dictate their answer. The capitalist who can employ a hundred laborers under this bill, can enjoy no greater privilege than other capitalists who may engage a similar number; and the competition between them, no matter how cheap the labor they employ may be, will reduce their profits to the lowest point at which wealth can draw from Asia, or elsewhere, swarms of its starving population.

CHEAPENING LABOR BY LAW.

The speculations which would occur under this bill would present a strange contrast. Labor, under a law of this State, would be made cheap, and the capital employed under it unprofitable; for, if it became a law, provision ought to be made that those introducing this labor should provide asylums and hospitals for its support; that imprisonment for non-performance of contracts should be at the expense of the complaining party; and surety should

be required that in no event should these laborers become a burthen upon the State.

If such a system be carried out as is required, with due regard to the protection of our people, it may become a question of far greater importance to the capitalist than dollars and cents, that the quality, and not the number of the population be appreciated by those whose wealth and happiness exist in their best relations; where there is security and general prosperity—conditions existing only where capital and labor are placed upon a just equality—the law giving both equal freedom and protection.

Thus far, the few remarks made in reviewing this subject have been in connection with its effect upon capital. The question now occurs, what would be its influence upon labor? In this relation we shall also review the subject as a question of dollars and cents.

NO SERVILE LABOR IN THE MINES.

Thus far, the mines have been open and free to the labor of the world, and they have been so productive that hardly a law has been needed for their regulation. This state of things has assembled in California people of every race and clime, of every tongue and creed—some entitled to work our mines upon the same terms as our own people—for reciprocal justice gives them the right to claim it—while others were entitled to no such privilege; yet they formed, perhaps, a majority of the foreign miners, and drew from our soil a greater quantity of the precious metals than our own citizens.

This led to the cry that foreigners, as such, ought to be taxed; and, as a concession to public clamor, a law, unjust, unconstitutional and indiscriminating, was passed, prohibiting foreigners, without a license, from working upon lands belonging to the United States; whereas, by the solemn faith of our Government, as pledged by treaty stipulations, various people have as much right to work those lands as to breathe the air in which we live. The effects of this law increased in no manner the productions of our own citizens, while in the trading towns it had a serious and injurious effect upon commerce.

With "free mines," for every one to work them, the wages of labor have kept at a higher rate than is paid in any of the Atlantic States, and its effect has been to bring here thousands from every State in the Union. No law, therefore, ought to be passed giving any one the command of labor at lower rates, or for longer terms, or with greater power than now prevails. No indiscriminate prohibitions should be made against foreigners (as such), for the governments of many of those whom we might desire to exclude place American citizens upon an equality with themselves. As regards the Chinese, we are not permitted to enter within their walls. There is, consequently, no obligation on our part to give them the freedom of our mines. At the same time, a ruinous competition should not be forced upon the people of this State, by bringing servile labor to contend against the interest of our working classes.

OUR WORKINGMEN—HOMESTEADS AND EDUCATION.

That population form the majority of our people; it is they who are to uphold, upon the shores of the Pacific, that Government and its principles which seem destined to make the circuit of the globe.

When, under this Bill, Asiatic labor shall take its march to our State, the low price at which it can be brought, renders necessary that some restriction be imposed as to what branches of

industry it shall be confined; for we must have a population of our own race, sufficiently numerous to control it, and not depending upon the same pursuits in which this servile labor may be employed.

The mines and public lands are by the policy of the General Government and our own laws, the inheritance of the people. We have provided that homesteads shall be exempted from sale, and that ample funds shall be provided for educational purposes. Thus far, the groundwork for raising an intelligent and independent class of laboring citizens has been laid, and we should not degrade our work by placing the labor of their hands upon an equality with that of bondsmen.

I apprehend that this is the first time that a bill for obtaining "cheap labor" has ever been introduced into a State, the majority of whose people, directing the Government, live by the toil of their own hands. If there be a necessity for its introduction, it should be under such enactments as to prevent its competition with the labor of our own people. It cannot be expected that a law of this character shall be passed opening every branch of labor to a competition which exists only by virtue of the law, without directing that it shall only be lawful to employ such laborers in industrial pursuits not now followed by our people.

There is ample field for its employment in draining the swamp lands, in cultivating rice, raising silk, or planting tea. Our State is supposed to have great natural advantages for those objects; but if these present not field enough for their labor, then sugar, cotton and tobacco invite their attention.

For these special objects, I have no objection to the introduction of the contract laborers, provided they are excluded from citizenship; for those staples cannot be cultivated without this "CHEAP LABOR;" but from all other branches I would recommend its exclusion.

I do not want to see Chinese or Kanaka carpenters, masons, or blacksmiths brought here in swarms, under contract, to compete with our own mechanics, whose labor is as honorable and as well entitled to social and political rights as the pursuits designated "learned professions."

THE INFLUX OF SERVILE LABOR.

The Senate Bill is not sufficiently guarded in its provisions to operate as a system for the government of the races it seeks to bring here; and it will throw very serious burdens upon the treasuries of every county. They are to be punished for refusing to labor—yet would receive from the State as good rations and clothing as those given by their masters. In return, they are to be employed upon the public works, an advantage not at all proportioned to their cost, for in no State have the earnings of criminals ever equaled the expenses of conviction and support.

We have had some experience of the policy that foreign Governments have pursued, under our emigration laws, in burdening us with many of their paupers; but we were able, to a certain extent, to protect ourselves.

THE PROBABLE INFLUX OF CRIMINALS.

Under this Bill, however, we are left unprotected against the vicious of the Celestial Empire, whose artful rulers could easily send to our shores, not only their paupers, but their criminals.

Estimating the prevalence of crime in China by population, as compared with other Governments, and allowing for the effect of causes

which lead to crime, the number of criminals, at the lowest estimate, cannot be less than 500,000, and this, too, under a system of punishment noted for its severity and certainty. To prevent the influx of this population we are unprepared, and no attempt to do so could be successful. Our people are not permitted to go within the walls of China, and it would be a labor of Sisyphus to expect our Ministers and Consuls to be able to ascertain whether the masses seeking our shores were from the distant provinces or prisons of China.

A Government so skilled in tact as is that of the Celestial Empire could not fail to perceive the advantage of permitting its criminals to immigrate; for it could raise an immense revenue from their exit, and relieve the Treasury from the burden of their support.

From the corrupt conduct of the Chinese officials in the opium trade, if it be to their advantage, we may expect that every malefactor in their prisons will be sent here as contract laborers.

It may be asked why criminals have not come among the portion already here? It is because that population has been selected by persons in China, whose contracts are made with their people there. Mothers and children are held as hostages for their fulfillment; and if this system has worked well, it is perhaps owing to the limited number coming here.

In connection with this immigration, however, it might be proper to consider the physical effects of the commingling of the people of Asia, Africa, Europe. Some hybrid races are very short lived—others are subject to diseases of the blood—and others still of the mind. With a population of so mixed a character, exposed to influences we cannot yet properly appreciate, we might permit to germ a pestilence as foul as the leprosy or the plague, with the howlings of insanity, to devastate the land.

GOVERNMENT SHOULD ELEVATE ITS WORKING CLASSES.

Every Government that has legislated upon the subject of labor has endeavored to do it with the view of finding employment for its people and elevating their character. Any attempt to degrade it, or to deprive honest men of work and food, increases crime, poor-houses, and prisons, and throws on capital the burden of their support. Our Government has attempted to prevent the introduction of paupers and criminals. It has raised a revenue upon the productions of foreign labor, that incidentally would prevent a ruinous competition against our own people. If any of our State Governments, however, choose to pursue a different policy, they can pass contract bills like the one we now have under consideration, and it would virtually abrogate that system of incidental protection extended to labor, even by revenue duties. The loss resulting from such a course, cannot be estimated in money, for the social effect of our institutions would be destroyed. An American living by the toil of his hands, would exercise a labor as degraded as if employed within an almshouse; for if we reduce wages to poor-house rates, it is as degraded as if performed within one of these institutions.

HOW CHEAP COOLIES CAN BE IMPORTED.

I refer to the annexed paragraph in the Sacramento *Union*, March 20, 1852, to show the rates at which this labor can be brought here:

"A PROFITABLE SPECULATION. — The ship 'Brandt', Captain Thomas, lately arrived from Hongkong, brought from the Celestial dominions no less than three hundred and sixty-nine pas-

sengers. The passage money they received was upwards of forty thousand dollars, and although the vessel was ninety days in making the voyage, the total cost of feeding the Chinamen, from the day of their departure until that of their arrival, amounted to but four dollars and eighty-three cents to the man!"

And, from the Penal Colonies of the Pacific, discharged convicts could be brought here at as low rates.

AMERICAN POLICY.

The policy that the General Government has pursued in its relations with the nations of Europe, and the liberal manner in which it has received the exiles of every clime under the protection of laws, have produced, wherever our flag has been unfurled, or wherever our citizens have wandered, a feeling of confidence in our laws, that would induce thousands of these toiling millions to contract for their labor with Americans; for they have some reason to expect that their rights would be protected by American tribunals.

In every European port there are swarms of "Harpies" and "Shylocks" engaged in the passenger business, who could easily persuade the confiding masses that this American bill was in consonance with republican principles. Our Ministers and Consuls in foreign lands are generally viewed with far more respect by the masses than are their own authorities, and, from the fact of their being made witnesses to these contracts, their intent and object would not be properly appreciated.

A system like the one proposed to be introduced into California, exists in no part of Europe, if we except Russia. The people of France, of Hungary, of Poland, or Ireland, have received too many proofs of American sympathy to imagine that, in committing their destinies to the laws of this Republic, or to those of any of its members, that there exist enactments of a character more despotic than those from which they seek to escape.

The hopes of the Republican world have been seared by the retrograde movements of France; but, there, despotism has not thought of making one white man the *serf* or *bondsman* of another, or of giving to capital, for the term of five years, the *hand and heart of labor*. Our population is increasing fast enough. There are thousands on the Isthmus awaiting transit, and it is far better that we have a small and choice population, rather than an inferior and servile one. The laws of the United States admit foreigners, after a declaration of their intentions and a certain residence, to become citizens; but the people who would willingly doom themselves to bondage, under this bill, are not deserving of this privilege; or, if they do it from ignorance, it provides no chance for their redemption. In either event, however, we are providing a swarm of Helots with the title of freemen and citizens.

THE RIGHTS OF LABOR.

The apparent object of the bill is to place foreign labor at the disposal of our people, in order that if foreigners earn money it may be for their masters. The amount of money is of little consequence, compared with the degrading effects of any law, that, to deprive them of their gain, shall make their labor inferior, by law, to capital, and give to the latter a more than feudal right to dispose of their persons and happiness.

I am opposed to any enactment that seeks to place burdens upon, or to doom to inferiority, any race of men, who have no other disability to become citizens, except residence. At the birth of our Republic, various races of people

were represented by distinguished men, some of whom died at the head of American armies, leading as generals the troops of our infant colonies. The descendants of these men, if this bill pass, can be held in bondage, and American Ministers and Consuls can be called upon to witness the chains that bind them. The condition of Europe does not permit her masses as free agents to judge for themselves—their claims for redress are answered by consigning them to dungeons and chains—their villages are given to the fire and sword; and bondage in our own land, if presented as an alternative to famine and pestilence in their own, might be readily preferred. The tyranny which has driven Kosuth to our shore, has driven millions of humbler individuals to the same asylum. Could any native of Hungary, who hears of the reception of their chief among the people of the United States, refuse to trust any law of our Union with the guardianship of his labor? Could any native of Ireland, whose hunger has been appeased by the supplies sent in national ships, when famine was devastating their unhappy home, suppose that vessels bearing the same flag as those which brought them food, could revisit their land, to carry them, under the provisions of a bill like this, into exile and bondage? The masses of these races could not believe that an enactment of this character could lead to the effects which will certainly flow from it; and they would willingly believe that the remarks made against the law, were made by the enemies of America.

OUR EUROPEAN SYMPATHIES.

In connection with the events now transpiring on the Atlantic, and which have presented to the public mind the question of intervention, the favor with which that doctrine has been received shows how deeply, but yet unwisely, our people sympathize with the masses of Europe. The circumstances for non-intervention have not changed; the advice respecting it was given when France, our strongest ally, claimed our aid against the combined forces of Europe; and I hope that the advice of Washington may be a fundamental maxim of our Government; for there can occur no stronger claim than the one he decided against our ancient and faithful friend.

I now wish to express another hope, and it is that the advice of Jefferson may be a maxim of this Government as long as it exists. That patriot, by his residence in Europe, was well acquainted with its toiling millions. If, in the course of centuries, our Republic fall, I hope that among the principles that may survive its downfall may be one so cherished by that sage. For Americans, like the descendants of the Romans, may have to seek Republican institutions distant from the land of their birth. I do not recollect the words of Jefferson, but their import is explained in the inquiry: "Is there no home for suffering humanity? Shall we deny to those who fly from persecution, the asylum which the red men of the wilderness granted to our fathers?"

PHILIP A. ROACH.

SENATE, 20th March, 1852.

THE COOLIE QUESTION.

The Workingmen of Oakland in Council.

IMPORTANT DEMONSTRATION. SPEECHES BY HON. PHILIP A. ROACH, F. J. CLARK, AND OTHERS.

[From the Oakland Daily Transcript, July 30th, 1870.]

Shattuck's Hall was crowded last evening with an audience composed of the bone and sinew of the land, assembled for the purpose of counseling as to the best means to be adopted to relieve ourselves of the thralldom of Coolie competition. Oakland has rarely seen such a magnificent outpouring of the masses, and certainly a more enthusiastic meeting has never convened in our city. After the meeting was called together, Mr. J. Bacon was chosen President. He said:

"In courting your attention here to-night, upon a question of such magnitude and moment to the laboring classes of this coast—that this meeting here to-night, is but a forerunner of a prompt and energetic action on the part of the laboring classes of California, to rid themselves of Mongolian slavery—it has no party or political object. It is a concentration of our forces only that the destroyers of our prosperity may have proof of our might and acknowledge that we possess a will equal to the necessities of the moment. You will be called on to-night to decide between free and accepted labor, and the

vilest system of slavery ever known to enlightened man. There are fears expressed among some our citizens that this will become a political body in the interest of politicians. I hope not. The local offices cannot affect our object in any way; it is a national question, and can only be settled by the treaty-making power. It is a question of bread and meat to the poor man; and if every Chinaman was sent back to his Emperor with our compliments, the rich men of the country would be benefited by the operation. I counsel peace and quiet with active determination, and hope the whole country will be able to see in our course nothing but wise and beneficial results. The gentlemen whom I shall have the honor of introducing to you to-night, will explain to you fully the havoc already made and the desolation which awaits us, should we permit the continuance of slave labor in our midst. I shall now introduce to you the Hon. Philip A. Roach, one of the oldest citizens of California, and a gentleman whose voice has frequently been heard upon this all important question."

Mr. Roach, on ascending the platform, was greeted with prolonged and enthusiastic applause. We regret that we can give only an out-

line of the powerful and convincing address. It was one that carried with it the conviction that the speaker thoroughly felt all that he said, and advocated the principles he enunciated because he knew that they were right.

HON. PHILIP A. ROACH'S ADDRESS.

Mr. Roach thanked the audience for the honor they had conferred upon him by the demonstration they had made at his appearance, and expressed himself pleased at meeting so large and intelligent an audience. When, long ago, he first landed in California, he did not think that the vital interests of the workmen could be so threatened as they now are. But the industrial classes have become aroused to the dangers so near at hand.

MONSTER MEETINGS.

Only a few weeks ago, the first meeting upon this subject was held in San Francisco, which was the densest assemblage he had ever seen in the State. The telegraph flashed abroad the thoughts and sentiments there expressed, and now, from Maine to Louisiana, the workmen had become aroused. Shortly after, there was another demonstration at the Mechanics' Pavilion—beneath whose dome has been displayed the results of the genius of our workmen, one of the noblest monuments of the greatness of California. These two meetings have thoroughly awakened the workmen of all the States to unite in the common cause. In the East, alarm has been caused by the presence, not by the number, of the Coolies lately taken there. Even this alarm has extended to Massachusetts, who has on her soil the holy places of Lexington and Bunker Hill. New York, Ohio and Washington have telegraphed abroad the thoughts of the workmen, who do not mean that the wages of our own people shall be so reduced as to drive them to the poor-house.

The speaker is connected with the *Examiner*, which, he said, should always advocate the rights of the workmen as long as it remained under his control. He read from a recent issue of that paper a letter, part of which has already been copied in the *Transcript*, relative to the anti-Chinese report made by him in 1852, when a member of the Senate of California. In the report referred to, he took precisely the stand in regard to this matter that the people are now assuming. Indeed, it seems like a prophecy. Resuming, he said:

The vast brotherhood of men having a similar calling have now become excited and determined to prevent a further influx of Chinese emigrants, who are held in a condition of servitude repugnant to our laws.

In the early days of the State, workmen came to California as a State which would give proper rewards for their labor. It was calculated to make people prosperous, and it did so. Mark how labor has accumulated capital. Now there are forty-five thousand depositors in our savings banks, representing a capital of thirty-three million dollars, money amassed by the workmen. Labor did it, and we wish to keep that labor in the same prosperous condition, and not reduce it to the pauper wages at which convicts would work.

EARLY ARRIVALS.

In 1849, there came from China cargoes of men we did not know to be coolies. In the same year there came 95,000 white emigrants. In 1850, owing to the prevalence of pestilences making the journey unusually hazardous, but

26,000 white men came. Chinamen came because a class of people was here intent only upon present gain, and who did not intend to remain after they got their pile. They hired Chinamen because they were nominally cheaper.

Our remedy now is to abrogate the treaty with China, and we can consistently do so. The speaker had thoroughly read all of our treaties with foreign powers, for he had been in a position where it was necessary for him to study international and commercial law. This treaty should be abrogated without delay, for it is not producing reciprocal advantages. The speaker referred to several treaties made between the United States and other Powers, which were changed as we propose to change that with China. In 1812 we went to war with England because we interpreted differently the then existing treaty. We fought on the ocean and on the lakes, and from Plattsburg to New Orleans. Thereafter, the American flag protected everybody beneath its folds. Reference was also made as to disputes with Austria and with France. This Chinese treaty is different from any other; for this is the only treaty which provided for the naturalization of the people of another Power. Its object was to naturalize large numbers, and to give to capital *cheap* and *docile* laborers. The manufacturers of the older States had exhausted every device in the way of high protective tariffs, and they resorted to this means to secure cheap labor and increase their profits, by working an inferior race twelve or fourteen hours per day at rates that would prove starvation prices to the *white* laborer. The treaty only opens five or six Chinese ports. It gives Chinese children access to our public schools, and to their merchants and laborers the right to pursue their callings in every portion of the American Union.

The speaker referred to the mission of our fellow townsman, J. Ross Browne, and the disgraceful treatment he has received from Congress. [His allusion to that gentleman caused loud applause.]

THE CRY FOR CHEAP LABOR.

Since 1852, the cry has continually been for cheap labor. It exhibited itself in meetings to reduce the wages of servant girls, and in an attempt to sanction by legislation the importation of persons to labor for a term of years under contracts. Why this unjust aggression? Capital is increasing fast enough. In the last ten years it has doubled. We have the proof of this in the condition of our corporations and in the dividends they declare. Interest on these investments has been increasing until it has in some cases been as high as twenty-four per cent. per annum, even in the older States. Wages have not increased in like proportion. Now, the commodities of life are taxed in the highest ratio, to *encourage* home manufacturers who are importing cheap labor. The man who imported Chinamen into Massachusetts was only the forerunner who was to try the experiment, and had he succeeded, they would have gone there by the thousands. There is no human being that can work so long, so patiently, and for so little. The burden of their competition is falling upon the women. The China boy is taking the place of the American girl, and with detriment to the moral welfare of our people.

The speaker pointed out the difference between the effects of labor-saving machinery and the presence of cheap laborers. Machines cheapen production, while they neither eat nor drink, thus lessening the cost of living.

The United States has obtained the highest rank among nations by the intelligence of the

people. The noblest men in our history are of humble origin, the representatives of the workmen of America, as Franklin, Clay, and many others. The speaker took occasion to pay an eloquent tribute to labor and laboring men. He showed how frightfully Chinese immigration would increase should it be encouraged, for their junks have sailed around the globe, and could transport hither thousands every month. And this will come to pass unless the treaty is abrogated. The highest wages that will then be received by our workmen, will be the present low pay of the Chinaman. What shall become of the rising generation? The children are in danger of becoming paupers. Who could work at ten and twelve dollars per month?

STATISTICS.

The speaker gave a few statistics which he had obtained concerning the number of Chinamen in San Francisco and their occupations. There are 2,500 engaged in the business of cigar-making. American women had been getting \$15 a week for this work, but Chinamen do the work for \$8 per week. A woman or a white man must get a permit to make cigars. The Chinamen having names so much alike, one can work under the permit granted another. The bogus Spanish cigars are sold without the purchasers ever knowing that they are Chinese productions. About 1,200 women would do as much as the 2,500 Chinamen, and could get \$15 a week, and make better cigars. In the slipper trade it is much the same. If you could see the number of machines, you would think that everybody in California was to have two pairs of slippers. Eight hundred more Chinamen are here employed. Then, they take the place of servants—they are men chambermaids. They seem by many to be preferred over women servants. Too many mothers leave their children with anybody—even a Chinaman—while they promenade the streets. Two thousand white women are by such means kept out of employment. There are also a thousand laboring men, nine hundred peddlers of fish, fruit and vegetables, and five hundred merchants, in the ranks of the Chinese. He depicted in glowing colors the horrors of the Chinese quarters, as they can be seen by the most casual observer. The very steamers that brought here the wretches who pollute the whole moral atmosphere, are subsidized by our Government, and these wretched creatures are escorted to their dens of vice by officers of the police. Were our laws against vagabondage administered, they ought to be

conducted from the steamers to the County Jail, and then sent back at the expense of the companies who brought them. He would say that there were 10,000 Chinese who lived in San Francisco by labor or vice, and drawing money from the State to send it to the sink of gold and silver, as it had been since the days of Pliny. The Bank of England, even, suspended payment during the failure of the American cotton crop, its specie being sent to India and there absorbed. According to the estimate of the Society for the Protection of Chinese, there are 17,500 of them in San Francisco. In Marysville, according to the present census, there is a population of 4,080 persons, 1,040 of whom are Chinese. There are probably in California 50,000 Chinese, to our 110,000 voters. This is a competition which is crushing out everything. Business was never before so dull in San Francisco, owing to this cause.

THE BALLOT IS OUR REMEDY.

Some have talked about raising military companies to drive off the Chinamen here, but the speaker held that such language was improper in the extreme. [This sentiment was very loudly applauded.] The working people have a power greater than the bayonet—the ballot. At the next election they should vote only for those who would pledge themselves to pursue the policy which is demanded by the people. Men must forget political preferences and unite in this common object. Those who came here under the solemn guaranty of a treaty must be protected; we must resort only to legal remedies. In conclusion, the speaker promised to dedicate all the energies of his mind to promote the cause in which he had enlisted.

RESOLUTIONS.

The President read the resolutions which were adopted at a meeting held at Platt's Hall, last Friday night, and they were approved by the meeting. The call for a convention of delegates from anti-coolie societies, to be held one week from next Tuesday. He said that he was desirous of organizing a society here, and he read the constitution and by-laws which have been adopted by the associations in San Francisco.

CONCLUSION.

Mr. J. F. Clark, of Livermore, being called to the stand, made a short but fiery and vigorous speech, which was frequently interrupted with applause.

THE CHINESE ON THE PACIFIC COAST.

[From the New York Tribune, May 1, 1869.]

Opposite our Western front, on the other shore of the Pacific, is a people whose numbers are variously estimated at from four to five hundred millions—more than the population of Europe, America, Africa and Oceanica combined. A people who possessed the mariner's compass, gunpowder and the art of printing when our ancestors were yet barbarians, ere the walls of Rome had been traced, or Greek civilization had begun to dawn.

Had it not been for the strange petrification which, as though by the fiat of the Almighty, fell upon this people ages ago—had they made but a few steps forward in their utilization of the powers of nature, made of the junk a good sea boat, of gunpowder an effective instrument of destruction as well as a toy, universal history would have taken another direction, and America, if not the world, would to-day be Mongolian.

We have now gone by them far enough. In knowledge, power and wealth we surpass them more than two thousand years ago they surpassed the painted savages of the British Isles; yet they still retain their pre-eminence of numbers.

And now that the barriers that for ages have isolated these people from the rest of the world are being broken down, their mere numbers, if nothing else, make them a force of vast importance to the future of the rest of mankind. Four or five hundred millions of people are coming into the line of our attractions and repulsions, like some new Saturn taking up its place to circle round the sun.

Now that the race which started from the plains of Central Asia has completed in its march the circuit of the globe, China may wake from her sleep of ages and learn from Western civilization. She may pass into the hands of intelligent conquerors, or be broken up into fragmentary provinces; but whether welded into a vast power or to remain the political cypher she now is, the Chinese people, by the mere force of their numbers, must exercise an immense influence upon the rest of the world.

Look at the swarming that is possible from this vast human hive! Consider that if all humanity were marshaled, every third man in the line would wear the queue and the blouse of a Chinaman; that this half billion people could throw off annually six, ten, twenty millions of emigrants; and this not merely without feeling the loss, but without there being any loss, for over-population keeps reproduction down, and new Chinamen would spring into the vacancies created by those who left as air into a vacuum.

THEIR NUMBER ON THE PACIFIC.

According to the count of the six great Chinese companies—to one or the other of which all, or nearly all, of the Chinese upon the Pacific coast belong—there are some 65,000 Chinamen in California and adjacent States and Territories. Knowing the jealousy with which they

are regarded, the Chinese are disposed to understate their numbers, and it is probable that the true figures are nearer 100,000 than those given. Speaking roughly, they may be said to constitute at least one-fourth of the adult male population.

From San Diego to Sitka, and back into Montana, Idaho, Nevada and Arizona, throughout the enormous stretch of country of which San Francisco is the commercial center, they are everywhere to be found.

Every town and hamlet has its "Chinatown"—its poorest, meanest and filthiest quarter—and wherever the restless prospectors open a new district, there, singly or in squads, appears the inevitable Chinaman.

OCCUPATIONS.

Mining (that is, placer mining, for the Chinese have a superstitious fear of venturing into the bowels of the earth, which, with other causes, has hitherto kept them from engaging in deep mining), the washing of clothes, and kindred occupations, were the first branches of industry in which the Chinese engaged; but of late years there has been a great increase in the variety of their employments.

In the construction of the San Jose Railroad, in 1860, it was discovered that they were cheap and effective road builders; the Mission and Pioneer Woolen Mills found that they made first-class factory operatives, and now they are rapidly obtaining employment wherever patient manual labor, without any great amount of brain-work, is requisite. Large numbers are engaged as servants in families, hotels, etc., taking the places of girls in chamberwork and cooking, in which they become very expert. A large proportion of Chinese immigration consists of boys from ten to sixteen years of age, who are immediately put out to service in families, where they soon pick up a knowledge of the language and of household duties. In fact, the Chinese are rapidly monopolizing employment in all the lighter branches of industry usually allotted to women, such as running sewing machines, making paper bags and boxes, binding shoes, labeling and packing medicines, etc.

They are good gardeners, and their assiduous care produces the finest vegetables which enter the San Francisco and Sacramento markets. But with the exception of these little truck gardens, they as yet cultivate no land on their own account. Many of them are engaged in picking fruit and tending vineyards, but few in the heavier work of the farm, though individual cases here and there have demonstrated their capacity, and it is probable that before long the farmers of California will use their labor to a large extent.

But it would be easier to recount the industries in which Chinamen are not yet to some extent engaged than to mention those in which they are, and every day their employment is extending, as employers in one branch of production after another, discover that they can avail

themselves of this cheap labor. They are not only grading railways and opening roads, (work for which they are now altogether relied on) cutting wood, picking fruit, tending stock, weaving cloth, and running sewing-machines; but acting as firemen upon steamers, running stationary engines, painting carriages, upholstering furniture, making boots, shoes, clothing, cigars, tin and wooden-ware.

Stand, say, at Clay and Sansome streets, San Francisco, about six in the afternoon, and you will see long lines of Chinamen coming from American workshops. Pass up Jackson, Pacific or Dupont streets, into their quarter, and you may see them at work on their own account. Beside the stall where the Chinese butcher carves his varnished hog, or makes mince-meat of stewed fowl, with a cleaver such as was used by his fathers long before our Savior sent the Devil into the swine, you may see Chinamen running sewing machines, rolling cigars or working up tin with the latest Yankee appliances. In front of the store window, in which great clumsy paper clogs and glistening anklets are displayed, and through which you may watch the bookkeeper casting up his accounts on an abacus, and entering them with a brush from right to left in his ledger, the Chinese cobbler sits half-soling and "heel-tapping" "Melican" boots. Underneath the Buddhist Temple, a disciple of Confucius mends the time-pieces of the American Clock Company, and repairs Waltham watches. In the Mail Steamship Company's office, a Chinese clerk will answer your inquiries in the best of English. And in one of the principal drug stores of Sacramento a Chinaman will put up a prescription for you; or if your taste runs in that way, in a saloon near by a Chinaman will concoct for you a mint julep or whisky cocktail; while wherever you go, in hotel or boarding-house, it is more than probable that hands better used to the chop-stick than the fork prepared the food you eat, let it be called by what high-sounding French phrase it may.

CAPACITY.

The Chinese are willing, anxious, to learn anything that may prove of pecuniary value to them, and in spite of the difficulties which their total or partial ignorance of the language imposes, their patience and imitative faculty enable them to learn to work with surprising facility; and I would hesitate to say that there is any manual trade in which they could not become efficient workers in a reasonable time. Certainly, if there is such a trade, one would think it would be that of type-setting; yet the composition upon the English newspapers published in China is done with great swiftness, and tolerable correctness, by natives who are ignorant of the meaning of any word they set up. And I know there is at least one man in San Francisco who contemplates the importation of a number of these printers, under contract for a term of years. The great objection in his mind, and an insuperable objection at present, is the feeling that this would arouse.

The great characteristics of the Chinese as laborers are patience and economy—the first makes them efficient laborers, the second cheap laborers. As a rule they have not the physical strength of Europeans, but their steadiness makes up for this. They take less earth at a spadeful than an Irishman; but in a day's work take up more spadefull. This patient steadiness peculiarly adapts the Chinese for tending machinery and for manufacturing. The tendency of modern production is to a greater and greater subdivision of labor—to confine the op-

erative to one part of the process, and to require of him close attention, patience, and manual dexterity, rather than knowledge, judgment, and skill. It is in these qualities that the Chinese excel. The superintendents of the cotton and woolen mills on the Pacific prefer the Chinese to other operatives, and in the same terms the railroad people speak of their Chinese graders, saying they are steadier, work longer, require less watching, and do not get up strikes or go on drunks. And one of them is reported as boasting that he would yet have Chinamen building and running his locomotives.

CHEAPNESS OF CHINESE LABOR.

But the great recommendation of Chinese labor is its cheapness. There are no people in the world who are such close economists as the Chinese. They will live, and live well, according to their notions, where an American or an Englishman would starve. A little rice suffices them for food, a little piece of pork cooked with it constitutes high living, an occasional chicken makes it luxurious. Their clothes cost but little and last for a long while. Go into a Chinese habitation and you will see that every inch of space is utilized. A room ten by twelve will bunk a dozen, besides affording workshop, kitchen, and dining room. Pass through their quarters in the towns, and you will see that nothing that can possibly be used is thrown away, unless it be human labor. Chinamen, of course, as other people, like luxuries, and indulge in them as far as they can; but their standard of comfort is very much lower than that of our own people—very much lower than that of any European immigrants who come among us. This fact enables them to underbid all competitors in the labor market. Reduce wages to the starvation point for our mechanics, and the Chinaman will not merely be able to work for less, but to live better than at home, and to save money from his earnings. And thus, in every case in which Chinese comes into fair competition with white labor, the whites must either retire from the field or come down to the Chinese standard of living.

Let us take the history of one trade to show what must be the result in all for which Chinese labor is adapted, and into which it is introduced: About 1859 or 1860 Chinamen first began to be employed in the manufacture of cigars, a branch of industry which then supported quite a number of white workmen in San Francisco. These, of course, took the alarm, formed unions, adopted resolutions, published appeals, and sympathetic cigar dealers hung out signs, "No coolies employed here." But it was no avail. The Chinamen quickly learned the trade (not as easy a one as the uninitiated might imagine), could work cheaper, and did work cheaper, and have completely driven out the whites. Large quantities of cigars are now made in San Francisco, but made entirely by Chinamen. They commenced, of course, by working for Americans; but, on learning the business, many of them set up for themselves, the Chinese employer having the same advantage as the Chinese workman, in being able to get along with a smaller profit; and on Jackson, Dupont, and Pacific streets, are many large Chinese manufacturing of cigars; while in many fetid dens, underground and out of sight, the patient Chinaman rolls the fragrant Havanas or cheap "five-centers" which are to regale the nostrils of the 'Melicans who despise him. This is the history of other trades in California, and from present appearances will shortly be the history of many more.

HOSTILITY TO THE CHINESE—UNEQUAL TAXATION.

That the Chinese population of our Pacific coast is not now much larger, is due to the feeling that has existed against them. This feeling has been very strong, but at the present time is weakening, or rather is being counteracted. The early Chinese emigrants did not come into competition with any class or settled interest, great or small. As washermen, cooks and servants, they supplied the need of female labor; did not displace it, for there was comparatively none in the country to displace. Nor in the diggings did they struggle with the white miners for the rich claims, for such a struggle could have had only one result, but followed them, as the jackal follows the lion, contented with the diggings which the whites did not consider remunerative, or had abandoned, but from which their economy and industry enabled them to extort large returns. After a placer mining district has been utterly exhausted and abandoned by whites, it will for a long time be worked by Chinamen, and with apparently satisfactory results, though, for obvious reasons, they endeavor to conceal their earnings as much as possible.

But, though the Chinamen were thus contented with the white man's leavings, their presence from the first developed a strong adverse feeling, which found expression not only in legal enactments, but in many acts of oppression, violence, injustice and imposition. A "Foreign Miners' License Law" was early passed, which compelled Chinamen engaged in mining to pay a monthly tax of four dollars a head. Ostensibly the law applies to all foreign miners, but no one ever dreams of collecting it of any one but Chinamen. But it must be said, in justice to the white miners, that the sentiment which dictated this and kindred legislation, and which condoned, if it did not justify, the numerous extra legal exactions and outrages to which Chinamen have been subjected, was not merely a blind race-hatred or a dog-in-the-manger feeling, provoked by seeing other people enjoy that which they could not use themselves. Their reasoning ran thus: "Though we do not want these poorer diggings, which the Chinamen are working out, we should have a care for those of our own race who will follow us. The day will come when wages in California will sink to an Eastern level, and when white men—white men with families depending on them—will be glad to find and work these poor diggings; and for these men we should see that they are reserved, and not permit them to be despoiled by the long-tailed barbarians, who have no interest in the country, and whose earnings do not add to its wealth."

This mining tax, which is collected rigorously and often cruelly (and which, by the way, has resulted as much to the profit of the collectors as to that of the State), is, with the exception of a hospital tax, collected upon landing, the only special tax to which Chinamen are subjected; but all other taxes fall upon them with more severity than upon the whites, the Chinamen being the first that the tax-collector "goes for," and the last he leaves in peace. This accounts for the partiality of the mountain counties for poll taxes for road purposes, etc. Of these the Chinaman pays the lion's share. The California Legislature of 1861-2 imposed a special police tax of \$5 per month upon all Chinamen; but after being collected a few months the Supreme Court of California declared the act null and void, as being in conflict with treaty stipulations. An effort was made to pass a similar law at the last session of the Oregon Legislature. But taxation, compara-

tively heavy as it is on them, is the least burden which the Chinese in California have to bear. They are subject to all sorts of exactions and impositions beside. For rent, etc., they must always pay more than the whites. They are fair game for all sorts of rascals, from highwaymen and camp-robbers to those who go round with revolvers in their hands personating tax collectors. To rob these timid people, who, even in their own defense will seldom fight, unless in overpowering numbers, is comparatively safe; nor, unless a white man happens to witness the operation, is there any danger of subsequent punishment, for in the courts of California the testimony of a Chinaman cannot be received against a white. A strong effort was made at the last session of the California Legislature to get through a law permitting Chinamen to testify against whites in cases of outrages upon them; but, though the bill passed the Senate it failed in the Assembly, the real cause of the defeat being the anti-Chinese feeling, though the opposition was ostensibly based upon the ground that the Chinese have no regard for the sanctity of an oath, which indeed is the case. In any matter in which they are interested they can bring up a cloud of witnesses on either or both sides.

But, though the Chinese in many parts of the Pacific Coast have been treated badly enough, a most exaggerated idea upon this subject prevails in the East. It is not true, as is sometimes asserted, that a Chinaman cannot walk the streets of a Pacific town without being insulted or assailed. One cannot walk half a block in these towns without meeting a Chinaman, and in any part of San Francisco, at any time, day or night, Chinamen (though boys occasionally shy stones at them) are much safer than are strangers in New York.

COUNTERACTING CAUSES.

As the competition of Chinese labor with white labor has become more general and threatening, the feeling against them has become correspondingly intense. But a counteracting feeling in their favor has also been developed. While making enemies of the workmen with whom they come into competition, they have made friends of the employers who find a profit in their labor, and as they have become massed in the employ of great corporations, and in the cities, they are more easily protected.

There is now more reason for an anti-Chinese feeling in California than at any time before; and that feeling, though less general, may be more intense; but it certainly is not as powerful as it has been, and it is doubtful if it could at present secure the prohibition of Chinese immigration, even were there no constitutional obstacles in the way; though should such an issue come fairly before the people, the prohibitionists would have a clear majority. There are too many interests becoming involved in the employment of Chinese labor to make this feasible, unless by some sudden awakening to the danger the working classes should be led to such thorough union as to make numbers count for more than capital. From the great corporations, like the Central Pacific Railroad and Pacific Mail Steamship Company, or the large manufacturing establishments, like the Mission Woolen Mills, or San Francisco Rope Works, to the families of moderate incomes who employ a Chinese servant, or the journeyman harness-maker, who takes his work home, and teaches four or five Chinamen to help him there, a very large and powerful class, rapidly becoming larger and more powerful, is directly interested in maintaining their right to avail themselves of Chinese labor; and this class is further rein-

forced by those who will prospectively profit by the cheapening of wages, and those whom political sentiment has led to an acceptance in all its fullness of the doctrine of the equality of races. And further still, the prejudices of race and religion are, strange as it may seem, to a certain extent themselves enlisted in "John's" defense, and there are not a few staunch supporters of Chinese immigration and employment who base, or at least defend, their views by the assertion that "a Chinaman is as good as an Irishman," with the implication that he is a good deal better.

THE WAGES QUESTION.

It is obvious that Chinese competition must reduce wages, and it would seem just as obvious that, to the extent which it does this, its introduction is to the interest of capital and opposed to the interests of labor. But the advocates, upon the Pacific coast, of the free introduction of these people, hold that this is not so, and, insisting upon the literal acceptance of the half truth that "the interests of labor and capital are identical," argue that a reduction of wages by this means will be a real benefit to the community at large, by attracting capital and stimulating production, while it will do no harm to the working classes, as the lessening of the cost of production will so reduce prices that the laborer will be able to purchase with his lower wages as much as before. According to them, the saving effected by the use of low-priced Chinese labor is precisely the same as that effected by the use of machinery; and as the introduction of machinery has resulted in increased comfort and employment for all classes, so, they argue, will the introduction of Chinese labor result. For, say they, the occupation of the lower branches of industry by the Chinese will open opportunities for the displaced whites in the higher, giving them employment as foremen, superintendents, clerks, etc., when they lose it as journeymen mechanics.

This, I believe, is a fair statement of the opinions held by a large and powerful class, and, inasmuch as they are the opinions of such a class, are put forward by the most influential portion of the press, and advocated by many who claim the position of public teachers, they are worth an examination in detail. And as in examining them we touch upon questions which are and would be of general interest, even if there was not a single Chinaman in America or any prospect of one coming here (and also for the sake of greater clearness,) let us eliminate at first the Chinese and local considerations, and treat the general problem. If a general reduction of wages would, as is claimed, work no hardship to the laborer, because prices would fall in the same proportion, then the converse is true that it would work no benefit to his employer—as his receipts would diminish in the same ratio as his expenses, while the power of his capital would not appreciate, and no increase in production could take place.

If this position is correct, then the knotty labor question is indeed solved; the interests of labor and capital are indeed identical. Provided the movement be general, to raise wages as high and as often as asked would be only an act of empty complaisance on the part of the employers; to submit willingly to any reduction, only cheap courtesy on the part of the employed.

This fallacy rests upon the assumption that all profits, rents, etc., would be reduced by and in the same proportion as the reduction in wages, which is manifestly absurd. Nor, when we speak of a "general reduction of wages" in the sense the term is used in this discussion, we do

not mean *all* wages, but only the wages of manual labor. Wages of superintendence, the professions, etc., would be unchanged, and could only be affected indirectly and after some time, by a reduction in the wages of manual labor.

And as consumers constitute a larger body than laborers, even if consumers get the whole benefit of the reduction in the cost of production consequent on the lowering of wages, it is evident that the laborer's gain as a consumer would be less than his loss as a laborer. It requires no argument to show that to take \$5 a day from five men, and to divide it again between them and two more, would be a losing operation to the five.

But consumers would not necessarily get the benefit of any part of the reduction in cost of production. The whole benefit would at first go to employers in increased profits. Whether any would subsequently come to consumers would depend upon the competition which increased profits caused. The more general the reduction of wages, the longer would it take for this competition to be felt; for if wages sank equally and profits rose equally, there would be no inducement for capital to leave one occupation and seek another, and the fresh accessions of capital to produce competition could only come from abroad or from new savings.

Plainly, when we speak of a reduction of wages in any general and permanent sense, we mean this, if we mean anything—that in the division of the joint production of labor and capital, the share of labor is to be smaller, that of capital larger. This is precisely what the reduction of wages consequent upon the introduction of Chinese labor means.

MACHINERY AND CHEAP LABOR.

There is a certain apparent similitude between the effects of machinery and lower priced labor upon the cost of production; and the argument that they are the same misleads many, who, accepting as an axiom that the use of machinery cannot in the long run injure labor, conclude that the introduction of Chinese labor cannot. But there is a wide and radical difference between the operation and the results of these two causes. The first—the use of machinery—operates primarily upon the *production* of wealth, and only incidentally upon division. The second—the reduction of wages—operates primarily upon the *division* of wealth, and only incidentally upon production. So far as the manufacturer is concerned, the operation may be precisely the same, a reduction of twenty per cent. in the wages of his hands reducing the cost of production to him as much as the introduction of machinery which would give an increase of twenty-five per cent. in the result of the same labor, with this additional advantage, that the reduction of wages would not require the conversion of any circulating capital into fixed capital, which the purchase of machinery would. But here the parallel ends. To the community at large there is a gain in the introduction of machinery; there is none in the reduction of wages. Machinery which will increase the efficiency of labor twenty-five per cent., adds at once and continuously one-fourth to the production of wealth, and everybody will ultimately be the richer for it. A reduction of wages twenty per cent. adds nothing to production, and while some will become the richer for it, it will only be because others become poorer. In the one case production is increased, purchasing power is increased, and capital is increased, and so, as we have seen it, the demand for labor becomes greater, and its remuneration larger; but in the other case neither production,

purchasing power, nor capital is increased, and the results are very different. By imagining the operations of either in a community of limited numbers, the distinction can readily be seen.

THE EQUILIBRIUM OF WAGES.

There is a tendency of wages in different industries to an equilibrium, and of wages in general to a level which is determined by the relative proportions of capital and labor. The effect of a reduction of wages in certain trades only is to attract capital to and drive labor from those trades, this increase of demand and decrease of supply at once causing a counter tendency. Where the reduction of wages extends to all the trades of a community, this counter tendency can only arise from the attraction of capital from abroad, and the reduction in the supply of labor by increased emigration, decreased immigration, and an increase in the ratio of deaths to births, caused by the reduced comfort of the masses. But where an unlimited supply of cheap labor can be drawn from abroad, one of the elements necessary to create this counter tendency is wanting in either of the cases we have supposed. Capital may be drawn from other vocations to those in which a reduction of wages has been effected by the employment of Chinese, and the white laborers previously employed may be driven to other occupations; but so long as China can furnish a supply of labor equal to the demand, wages will not rise again, the only effect of the transfer being to decrease capital and increase the supply of labor in other trades, and thus to reduce wages in them also. And if the increase of the white population is checked, so long as no check is imposed on Chinese immigration the demand for labor cannot gain upon the supply. The only effect will be the substitution of a Mongolian for a Caucasian population.

PROFIT AND LOSS.

That a reduction of wages through the employment of Chinese labor will increase the aggregate of production there is no doubt, and thus far its advocates are right. Capital would be made more efficient, and new capital be attracted from abroad. But whether home capital would continue to increase at its former rate may well be doubted. The savings of employers would be more, as their profits would be more; but the savings of the laborers (which, through the medium of loan societies, etc., become as much part of the active capital or "wages fund" of the community as the savings of any manufacturer) would be less, and, in the case of the Chinese, would be sent abroad and lost to the country. Whether the increase of production thus brought about is to be considered a benefit to the community depends upon our idea of "what constitutes a State." For this increase in production we must pay a high price, one of the smallest items of which, in my opinion, will be (if the substitution of the Mongolians for Anglo-Saxons goes far enough) the utter subversion of republicanism upon the Pacific, perhaps upon the continent.

To make places in the higher occupations for the whites who are displaced by the competition of Chinese labor, will require (even admitting them to be qualified for these higher occupations) a great increase of production and a very large Chinese population. This idea supposes a state of society similar to that of which the would-be founders of the Southern Confederacy dreamed, where the laboring masses are of one race, the ruling and employing classes of another.

Even in a society of this kind, those of the

superior race who fall from or are unable to gain the position allotted to them must sink to the level of the inferior. The great Chinese labor-based empire of the Pacific must, if ever established, have its poor whites, just as South Carolina and Georgia had theirs. But the displacement of whites which the introduction of Chinese labor will cause on the Pacific slope, great as it must be, will be slight compared with what it would effect in a thickly settled country. The coolies will rather take the places of whites who otherwise would come hereafter than of those now here. And in the present population, the class which will gain by Chinese labor, as compared with the class which will lose, is larger than on the Atlantic side; for the Pacific coast is a new country, over which its present population is scouting and prospecting, not only for that which is valuable now, but for that which will be made valuable by a greater pressure of population. There are thousands and thousands of men who would not be counted as capitalists in a strict enumeration, but who hold lands, mines, water privileges, etc., which a large population and low wages would make valuable. The interests of these men are with the capitalists, forming with the other classes to which I have alluded, a combination so powerful as to neutralize any effective opposition to the introduction of Chinese; for as the General Government ties the hands of the people of the Pacific coast in this matter, effective resistance to Chinese immigration must be extra legal. And thus it is that the resistance to Chinese immigration is weakening in our Pacific States.

PROSPECTS OF FURTHER IMMIGRATION.

Capital clearly perceives that its interests lie in the free admission and introduction of these cheap workers, and though labor may oppose it, yet, with the weight of the General Government and the sentiment of the nation thrown in favor of capital, there can be but one issue to the struggle. In every instance in which battle has been joined on this matter, labor has, as usual, gone to the wall. Chinese cigar-makers have been beaten, but the Chinese monopolize the trade to-day. The Pioneer Woolen Mills were once burned to the ground because of the employment of coolies; but they were rebuilt, and, like the other woolen mills, employ as many Chinamen as they can. A year ago, when Chinese graders were first set to work in San Francisco, the displaced Irishmen mobbed them, but the strong force of policemen with which it was then necessary to guard them is now withdrawn, and the Chinaman is rapidly taking the place of the Irishman. When, a few months since, the Pacific Mail Steamship Company discharged its white firemen and hired coolies, the coolies had to be smuggled aboard the ships; but now they come and go in peace. And so on. The sticks in the bundle are broken one by one.

All the Chinamen now in our Pacific States come from the single Province of Canton; the whole seaboard of China and Japan is yet to draw from. The cost of the passage is a great obstacle, but improvements in marine machinery, with the establishment of new steamship lines, will rapidly reduce this; and as the desire to avail themselves of Chinese labor increases among American employers, the contract system, managed either directly or through the medium of the Chinese Companies, (who are abundantly able without the intervention of special laws, to enforce all contracts with their own people) will enable many to come over who could not advance the price of their own passage. The Chinese Companies and capitalists already bring over

many in this way, and a perfect system of peonage is maintained.

AN INFUSIBLE ELEMENT.

The population of our country has been drawn from many different sources; but hitherto, with but one exception these accessions have been of the same race, and though widely differing in language, customs and national characteristics, have been capable of being welded into a homogeneous people. The Mongolians, who are now coming among us on the other side of the continent, differ from our own race by as strongly marked characteristics as do the negroes, while they will not as readily fall into our ways as the negroes. The difference between the two races in this respect is as the difference between an ignorant but docile child, and a grown man, sharp but narrow-minded, opinionated and set in character. The negro when brought to this country was a simple barbarian with nothing to unlearn; the Chinese have a civilization and history of their own; a vanity which causes them to look down on all other races, habits of thought rendered permanent by being stamped upon countless generations. From present appearances we shall have a permanent Chinese population; but a population whose individual components will be constantly changing, at least for a long time to come. A population born in China, reared in China, expecting to return to China, living while here in a little China of its own, and without the slightest attachment to the country—utter heathens, treacherous, sensual, cowardly and cruel. They bring no women with them (and probably will not for a little while yet) except those for purposes of prostitution; and the children of these, of whom there are some hundreds in California, will exercise upon the whole mass but little perceptible influence, while they will be in all respects as essentially Chinese as though born and reared in China.

To a certain extent the Chinese become quickly Americanized; but this Americanization is only superficial. They learn to buy and sell, to labor according to American modes, just as they discard the umbrella shaped hat, wide drawers and thick paper shoes, for the felt hat, pantaloons and boots; but they retain all their essential habits and modes of thought just as they retain their cues. The Chinaman running a sewing machine, driving a sand cart, or firing an engine in California, is just as essentially a Chinaman as his brother, who, on the other side of the Pacific, is working in the same way, and with the same implements, as his fathers worked a thousand years ago.

SOCIAL AND POLITICAL CHARACTER.

Their moral standard is as low as their standard of comfort, and though honest in the payment of debts to each other, lying, stealing, and false swearing are with the Chinamen venial sins—if sins at all. They practice all the unnameable vices of the East, and are as cruel as they are cowardly. Infanticide is common among them; so is abduction and assassination. Their bravos may be hired to take a life for a sum proportionate to the risk, to be paid to their relatives in case of death. In person the Chinese are generally apparently cleanly, but filthy in their habits. Their quarters reek with noisome odors, and are fit breeding-places for pestilence. They have a great capacity for secret organizations, forming a State within a State, governed by their own laws; and there is little doubt that our courts are frequently used by them to punish their own countrymen, though more summary methods are oftentimes resorted to. The administration of justice among them

is attended with great difficulty. No plan for making them tell the truth seems to be effective. That of compelling them to behead a cock and burn yellow paper is generally resorted to in the courts.

A great many good people doubtless fancy that they see in this migration to our shores a providential opportunity for the conversion of Asia to Christianity; but a more intimate acquaintance with the Chinese in California would probably induce a modification of this sanguine expectation. Though here and there there may be an individual exception, the Chinese among us will, as a rule, remain the heathens they are. If any progress is made in their conversion, it will be in China, not in America.

The Chinese seem to be incapable of understanding our religion; but still less are they capable of understanding our political institutions. To confer the franchise upon them would be to put the balance of power on the Pacific into the hands of a people who have no conception of the trust involved, and who would have no wish to use it rightly if they had—would be to give so many additional votes to the employers of Chinese, or put them up for sale by the Chinese head centers in San Francisco. At least one Chinaman has already been naturalized, and though none of them have any intention of remaining here permanently, if it would pay them to acquire votes, and they could be protected in voting, there are none of them who would object to being naturalized every hour in the day. The swearing required is nothing to them, and as for identification, all Chinamen look alike to the unpractised eye. At present, law or no law, the Chinese on the Pacific Coast could not vote, unless between lines of bayonets; but this does not prove they will never vote. Who could have dreamed ten years ago that the slaves of the South would now be the voters?

A QUESTION OF NATIONAL IMPORTANCE.

Take it in any aspect, does not this Chinese question merit more attention than it has received? A little cloud now on the far western horizon, does it not bid fair to overshadow the whole future of the Republic? The 60,000 or 100,000 Mongolians on our western coast are the thin end of the wedge which has for its base the 500,000,000 of Eastern Asia. The Pacific is 6,000 miles wide, but steam is practically reducing it to the limits of the ancient Mediterranean, and it rolls between countries where the reward of labor is at its maximum on the one hand, and at its minimum on the other. Give natural laws free play, and over the sea, from west to east, will sweep greater hordes than ever followed the sun across the plains of Asia. The day has gone by when the sword determined whether a given soil should breed Celts or Saxons, Huns or Gauls, Goths or Romans; but the weapons of peace are no less effective than those of war. The wild mustard can crowd wheat from the field; sheep may drive from the pasture the stronger ox; the locust may put the buffalo to flight. Like these, the Chinaman can live where stronger than he would starve. Give him fair play, and this quality enables him to drive out stronger races. One hundred thousand Mongolians on the Pacific Coast means so many less of our own race now and hereafter to be. Five or six millions would mean that all but the crown of the body politic should be Mongolian; would mean a British India, instead of a New England, upon our western shores.

Let no one imagine that this is a mere local question. If the Rocky Mountains interposed forever an impassable barrier to Chinese immigration, it would still be, economically, socially,

politically, a matter of the utmost national importance, affecting vitally every part of the Republic. As the Colonies were at first compelled against their will to admit negro slaves, so have the people of the Pacific States been denied the power to prohibit in its early stages this influx of the Mongolians. Whether they would prohibit it now, if they could, is questionable. In the natural course of things they will learn to prize what they at first hated. The East will be clamoring for restriction upon Chinese immigration; the Pacific—with its capital invested in Coolie labor, if not its whole social and industrial system raised on that basis—will cherish it. California, Oregon, and the great States yet to be, will not easily forego the advantage which enables them to undersell Massachusetts, Rhode Island, and Pennsylvania in the markets of the continent, and even England and Belgium in the markets of the world. And then? The old quarrel between the North and the South renewed between the East and the West. And, it may be, with a different ending.

In truth, it is not to be wondered at that Chinese immigration should find so many advocates in the Pacific States. With their unparalleled natural resources, an unlimited supply of this cheap labor will make of them beyond all question the most remunerative field in the world for the employment of capital, where the rich will get richer with unexampled rapidity. California will not only become a great mining and a great agricultural State, but a great manufacturing State; controlling, by virtue of her cheap labor, the immense market opening in the heart of the continent, and competing successfully with New and Old England almost to their doors. Let but the introduction of Chinese labor go a little further, and the same change which was wrought in Southern sentiment regarding slavery by the invention of the cotton-gin, will be completed on the Pacific in the feeling toward Chinese labor. In the early days of California, the same party which endeavored to divide the State for the purpose of establishing slavery in the Southern portion, endeavored to legalize the coolie trade. It would not be surprising if the effort were ere long renewed by a different class, and with better chances of success.

A LOOK AHEAD.

But the Rocky Mountains interpose no barrier to Chinese immigration. This cheap and effective labor finds a limitless field in the whole Union. Not only on the sparsely populated Pacific Coast, where labor commands higher rates than anywhere else in the world, but in the most thickly settled Eastern States, the Chinese with their economical habits can always secure remunerative employment if allowed to freely enter the market, and will crowd white labor to the wall. I came across the continent in December last with probably the first Chinaman who ever made the overland trip. Many more will follow him; the stream will gradually increase, and the operatives, mechanics and laborers of the East will find in the markets for their labor competitors who will willingly work for rates on which they would starve.

Nor will this take long to effect. The great interior basin has already its Chinese population, extending as far as Salt Lake. Before a month has passed the Chinese graders of the Central Pacific will have met the Irishmen of the Union Pacific, and the great highways which are to link the two seas will be completed. The new towns along the Platte will then soon have their Chinese quarters, and ere long a Chinaman will have ceased to be a curiosity in the villages of Illinois, Indiana and Ohio, where last December men, women, and children gathered around Ah Kee.

Our manufacturers have talked of the pauper labor of Manchester, Leeds and Sheffield. Here is cheaper labor at their doors! Labor which will deem itself well remunerated by wages upon which English operatives could not keep themselves out of the poor-house—which will not agitate for its "rights," form trades-unions, or get up strikes; which will not clamor for eight-hour laws, but which will labor without murmur 12 or 14 hours a day, not even asking for Sundays; which is patient, submissive, enduring, with the patience, submissiveness, and endurance which countless ages of tyranny have ground into the character of the down-trodden people of the East. Here is labor to break our virgin soil, to clothe the foot-hills with vineyards, work our poorer mines, and make the alkali desert blossom like the rose; labor to take the place of that of the slave in the cotton and rice fields of the South; labor which, efficiency considered, is even more economical than that of the slave. And labor of which there is a never-failing supply.

And here, too, is another potent force, more potent than any of those now operating, to accelerate the prevailing tendency to the concentration of wealth—to make the rich richer and the poor poorer; to make nabobs and princes of our capitalists, and crush our working classes into the dust; to substitute (if it goes far enough) a population of serfs and their masters for that population of intelligent freemen who are our glory and our strength; to rear an empire with its glittering orders round the throne, and its prostrate people below, in place of the Republic of Washington and Jefferson.

It will not go far enough—it cannot go far enough for this, unless it is indeed written that the youngest born of the nations must in its early manhood follow the path and meet the doom of Babylon, Nineveh and Rome—unless our boasted civilization carries with it the seeds of its own destruction, and is to serve but to light the torch to be upheld by some new and stronger race, in what may now be to us a far-off corner of the world. But without looking so far, here plain to the eye of him who chooses to see, are dragons' teeth enough for the sowing of our new soil—to germinate and bear ere long their bitter fruit of social disease, political weakness, agitation and bloodshed; to spring up armed men, marshaled for civil war. Shall we prohibit their sowing while there is yet time, or shall we wait till they are firmly imbedded, and then try to pluck them up?

HENRY GEORGE.

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OF CALIFORNIA,

JANUARY 11TH, 1871.

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ADDRESS

AT THE

MECHANICS' PAVILION,

ON THE

OPENING OF THE FAIR,

NOVEMBER 15th, 1887,

FOR THE ERECTION OF

The Roman Catholic Cathedral,

ON VAN NESS AVENUE,

BY

PHILIP A. ROACH.

SAN FRANCISCO:

JAMES H. BARRY, PRINTER, 429 MONTGOMERY STREET.

1887.

ADDRESS.

*Most Reverend Archbishop Riordan, Reverend
Fathers, Ladies and Gentlemen :*

Deeply impressed with the honor conferred on me by the request of our Most Reverend Archbishop that I should address this vast assemblage on this momentous occasion, I shall briefly refer to some of the events illustrating the Catholic chapter of the history of California.

Before doing so, however, a short prelude of only a few minutes is needed, to speak of the great events which led to the discovery of this great continent, and to do honor to the memory of Isabella, the Catholic, and to the sublime courage of Columbus, whose fortitude, piety, and faith in God gave a new world to the Christian faith.

THE CAPTURE OF CONSTANTINOPLE

in 1453, which insured the downfall of the remains of the great empire founded in 323 by Constantine the Great, who proclaimed Christianity as the religion of the Roman Empire, struck the Christian world with terror and despondency. The Turks soon prepared for other conquests. In

the East the standard of Mahomet had everywhere been victorious, and the Sultan at the head of immense armies was preparing to invade the countries of Eastern Europe, while his formidable fleets were all powerful in the Mediterranean.

In the West at this time

SPAIN WAS ENGAGED

In deadly conflict with the Moors. For nearly nine hundred years the Spaniard had incessantly fought for his faith with unflinching courage. The eyes of the world were now centered upon the Spanish people engaged in the fierce contest against the Crescent on the plains of Granada. In the campaigns Isabella was often at the head of the troops animating them. Dressed in armor, waving her sword, she infused into her army the wildest enthusiasm. At last the Moorish sovereign, in January, 1492, surrendered Granada to Ferdinand and Isabella. The conquest of Granada was a compensation to the Christian world for the fall of Constantinople. The Church of St. Sophia, which became a Turkish mosque, was compensated by the acquisition and dedication of the Alhambra, the marvellous construction of Moorish Caliphs and Kings to the Catholic religion.

The subversion of the Moorish power in Spain was soon followed by an event of far greater importance to the Christian world. Columbus, who

during many years of sufferings and privations had solicited Kings and Republics to aid him in bringing to a successful issue his long cherished convictions that by sailing westward he could find a

NEW ROUTE TO INDIA,

At last obtained another hearing from the Castilian sovereigns. The first person in Spain who sympathized in his sublime ideas and the noble impulses that gave them birth was Juan Perez, the prior of the convent of *La Rabida*. When the careworn and hungry man knocked at the gate, leading his son by the hand, the good prior, impressed by the noble and majestic figure of Columbus, invited him to enter and remain his guest as long as he desired. The Prior became an enthusiastic believer in the theories of the distinguished stranger and exerted his influence to have his friend obtain a hearing from his superiors, and this was after several royal commissions had pronounced against his theories. The Prior, a man of learning and ability, had been Father Confessor of Isabella, and after a visit to her secured an invitation asking Columbus to come to Court, which after the downfall of Granada was in the best of spirits.

His plans had been submitted during the Moorish wars, in which he had been an active par-

ticipant, to various learned bodies, and rejected as vain and frivolous. Columbus, supported by the prior of *La Rabida*, secured a final hearing from his sovereigns. Isabella was impressed by his earnestness of assertion that if aided by the Crown his discoveries would give vast regions to Spain, and would bring into the Catholic fold millions of the human family who had never heard the sublime doctrines of the Christian religion. Objections were made by the ministers that the Royal Treasury was empty, and that the sum required could not be given. On this statement, Isabella said with enthusiasm, prompted by her fervent piety, that she would pledge her crown and her jewels to procure the amount needed for sending forth the expedition. But this heroic sacrifice was not needed. The Controller of the Revenue said that he would advance the sum required. Columbus left the court of his sovereigns on the 12th day of May to carry out his long cherished plans.

AT PALOS.

Overjoyed at his success, Columbus returned to Palos, and such was his energy that he succeeded in obtaining three small vessels—the *Santa Maria*, of one hundred tons, the *Pinta* and *Nina* each of fifty tons, but undecked. They left Palos, Fri-

day, August 3d, 1492. The good Prior of *La Rabida* gave them the parting benediction. The company consisted of one hundred and twenty persons, with provisions for one year. The voyage severely taxed the powers of the Admiral; the crews were often on the verge of mutiny and were only prevented from revolt by his firmness. On Friday, October 12th, land was made, and San Salvador was taken possession of for Spain. Thus in seventy days the problem which had perplexed the geographers and philosophers for centuries was solved. This great achievement was due to the fervent piety which animated the heart of Columbus, and the enthusiasm of Isabella in the belief that millions of heathens might be brought to the knowledge of the Christian faith. Thus she made Columbus the greatest of all missionaries. If asked what religion has ever done for science, we can point to the discovery of the new world as the answer. And next in scientific greatness was the discovery of the Polish priest Copernicus of the system of planetary revolutions. The earth, the oceans, and the heavens, bear witness to the services to science of these devoted sons of the Catholic Church.

The return voyage was fraught with greater perils than the outward one. The vessels were

old and leaky; the crews were often terror stricken. Terrific storms were encountered amid heavy thunder and lightning, and the vessels were frequently on the verge of sinking.

The Azores were made on February 17th, 1493. On March 4th, after a tempestuous voyage, they reached the Tagus. John II. received the discoverer kindly, although astounded at the brilliant results of the project he had rejected. On March 15, Columbus landed at Palos. Thus in seven months and twelve days he had accomplished the grandest of all enterprises. His sovereigns received him with the warmest demonstrations of joy, and granted him extraordinary honors. Isabella was an attentive listener to his narrations, but what impressed her most was the Indians brought to her court—representatives of the millions who would be brought within the Catholic Church. This period was the happiest of the discoverer's life. Honors were showered on him, titles were given him and grand plans were projected for the future. But the seeds of

ENVY AND CALUMNY

Were sown against him in the very moment of his triumph. His enemies pursued him with unrelenting persecutions and finally succeeded in sending him back to Spain in chains. His claims

for redress were unheeded, Isabella was dead and he soon followed her.

The Catholic Church has long contemplated paying the highest honor in her gift to Columbus. Under her authority investigations have taken place to disprove the calumnies uttered against him by enemies who coveted the titles and possessions which descended to his children. We are now nearing the four hundredth anniversary of the discovery of the New World. All civilized nations are preparing to do honor to

THAT GLORIOUS ACHIEVEMENT,

so fraught with benefits to the human race. Our ocean-bound Republic, with sixty millions of people, with the national capital called after him, will do honor to his memory. California will do her part. This vast audience will do its share. Its assemblage here this evening, at the call of our Most Reverend Archbishop, will erect a cathedral in which will be held, only a few years hence, one of the most imposing ceremonies of the Catholic Church, and on that occasion, may our Archbishop, from the pulpit of the new cathedral, dwell on the virtues and achievements of Columbus, who not only gave a New World to Castile and Leon, but he gave it to the Catholic faith.

We now turn to

CALIFORNIA

to glance at the missionary establishments. Viscayno discovered the port of Monterey in December, 1602, and named it in honor of the Count of Monterey, then Viceroy of Mexico. The party landed, erected a chapel under a wide-spreading oak tree, celebrated High Mass and planted the cross.

The harbor was good, and of easy entrance; but notwithstanding, many vessels intent on entering, passed it, and it was not rediscovered until 1770, when expeditions by sea and land reached it. The place was easily recognized from Viscayno's description, and caused intense excitement and joy in Mexico. On June 3d, 1770, the cross was planted in the gulch where, 168 years before, Viscayno had placed the first one, but which had been destroyed by the Indians. Father Serra immediately commenced his missionary labors.

The valley of Carmel was selected as the site of a church, and from that point the presidents of the missions directed the establishments which dotted California from San Diego to Sonoma.

The first mission founded after that of Carmel was San Antonio, in 1771, in the Santa Lucia range, about 60 miles south of Monterey. San Francisco was founded in 1776. Several expedi-

tions had been made by sea and land to discover a suitable port at which a mission could be established. Father Serra wrote to the Marquis De la Croix, Viceroy of Mexico, that it was a shame that there was no mission dedicated to Saint Francis. It is said that the Viceroy answered, that if St. Francis wanted a mission, let him find a good port north of Monterey, and he would build him one. Father Serra went earnestly to work to find a site for a mission to the founder of his order.

In 1772 and 1774, land expeditions from Monterey established the existence of the Bay of San Francisco; but after placing crosses—one at Point Lobos—to indicate their locations, they went back to Monterey. In 1775 Captain Ayala entered

THE GOLDEN GATE

on the San Carlos, and remained forty days exploring the bay in all directions. He was the first navigator who did so. On June 17th, 1776, the expedition of soldiers and colonists left Monterey and arrived at Dolores with cattle. On the 28th of June, a chapel of branches, an arbor, was erected and Mass celebrated. On August 18th the San Carlos arrived the second time after a long delay. Time meanwhile was spent in erecting buildings and barracks. On October 8th,

1776, the mission was dedicated with the solemn services of the Church. Up to the time of his death, Father Serra had established nine missions, which were increased by his successors to twenty-three, the last being San Francisco, Solano, in 1823. There are a few events in the history of the

MISSION OF CARMEL

that unite the past with the present. In 1786 La Poronse, a distinguished French navigator, who served with distinction in the fleet of Count Rochambeau in the American Revolution, visited Carmel, and sent to France an interesting account of this establishment. He was in charge of the French exploring expedition; composed of the frigates *Astrolabe* and *Boussoule*. His voyage was across the Pacific; but after leaving Monterey nothing was heard of him or his companions. Before leaving Carmel he gave the Fathers various kinds of seed and the potato which flourished well and contributed to the health and happiness of the early settlers; it cured scurvy. During his stay a large oil painting of the interview of *La Perouse* and the missionaries, was made by some of the able artists of the expedition, and kept at the Mission. It was afterwards stolen or destroyed, for the large reward offered by the French Government for its

recovery, failed to obtain it. The remains of several of the Fathers and of the Governors of California repose in this interesting church.

In 1870 the Town of Monterey celebrated the one hundredth anniversary of its foundation. The Pioneer Society of California chartered the Steamer *Senator*, and a very large number of the residents of the State went to Monterey. The town was beautifully decorated with evergreens; the walls of the houses had been whitewashed. Thousands came to the old capitol from all parts of the State to see one of the really loveliest places in it.

THE CROSS PLANTED BY FATHER SERRA

in 1770 had been cut down to make a military road to the fort in 1848, but in 1870 a new one had been erected on the same site; the landmarks of Viscayno of 1602, of Serra in 1770, clearly marking the spot to those of 1870. The Mission of Carmel was subsequently restored by the untiring exertions of Father Casanova, and on the 28th of August, 1884, the one hundredth anniversary of the death of the Reverend Father Serra, our most Reverend Archbishop preached in English on that occasion a most eloquent sermon on the life and labors of the great missionary, and Father Adam, of Santa Cruz, preached in Spanish.

In June, 1850, in conformity with an order of Court, in company with Isaac B. Wall, then County Treasurer, and afterwards Speaker of the Assembly of California, who in 1857 was ambushed and murdered at a place where we camped in 1850, we started to visit the missions of the jurisdiction of Monterey. The weather was intensely hot, and we had to carry barley for our horses and rations for ourselves as the ranches were deserted. After three days' journey, sleeping at night on our saddles in the dry beds of the creeks as we could hear more easily the approach of bears or coyotes, we reached the mission of San Antonio in the Santa Lucia range. Father Ambriz, the priest in charge, who had come to Alta California with the first bishop Father Garcia y Moreno in 1840, gave us a most hospitable reception. On the following day we carefully examined the Mission. The church was in fine order, bright and clear, the orchard was inclosed by a high adobe wall well tiled; grounds cultivated by the Indians were about fifty thousand acres, divided into small fields; the irrigation works were in good order. The Indians were in number over one hundred, old and young; many of the former had been baptized by Father Serra himself. On the next day Father Ambriz in compliment to our coming cele-

brated High Mass ; the band consisted of about twenty Indians, who played remarkably well. Fourteen years later I revisited that mission ; the Indians had nearly all disappeared ; the few left were very old, and the band, with the exception of the old flute player, had disappeared. While at this mission at that time a call came for Padre Ambriz to visit a dying man in the Santa Lucia mountains, distant about 30 miles. Off he went, leaving the mission in my charge. I improved the opportunity by observing the surroundings and reading the pious works in the library until the return of the Padre. But I will frankly say that while I had the most enthusiastic admiration for the efforts of the Fathers—their sacrifices to benefit their fellow-men—I thought that I had not the qualifications to fill their holy mission. In 1834 the

MISSIONS WERE SECULARIZED.

The grand system fell. Their condition was then, although in the decline, in the aggregate as follows : Missions 23, cattle 250,000, horses 32,000, mules 2,900, sheep 160,000, grain production per annum 125,000 bushels.

A new tide in the onward march of progress had set in. The welfare of thirty thousand Indians, who on many occasions had manifested the basest ingratitude to the Fathers by insurrection

murder, and deeds of violence, could not be allowed to stand in the way of the thousands who were ready to immigrate to this fertile region. In the interests of the Catholic faith the colonization of California by families was a necessity. It was the original design of the founders of the missions that such should be the case. In 1776 San Francisco received over twenty families from Sonora. The other missions had additions to their population by the same element. The just cause of complaint on the part of the Fathers is that they were unjustly treated; that they were expelled in old age and poverty from the homes they had erected; that the income of the Pious Fund had been diverted from its purposes; and that the civil and military authorities were hostile to them. All honor to the grand, old, self-sacrificing missionaries of the early days! They left an example to challenge the emulation of their successors, and they have come to continue the grand work. We have the Jesuits, the Franciscans and the Dominicans among us.

THE DISCOVERY OF GOLD

Brought forth a new era. Men came from every clime, all languages were spoken, and for a time it seemed that men had made gold their idol—then their god. But soon came other missionaries. In San Francisco the tinkling bell of a

small wooden church, on Vallejo street, in 1849, called the faithful to prayer, and the street in front of it was often densely crowded with kneeling men in the summer and fall of that year. Later it was replaced by a larger wooden building, *lined with cloth*, used as the cathedral. There Archbishop Alemany often preached in English and Spanish. On its site now stands St. Francis' Church, of which, for an age, Father Harrington has been the pastor. In 1851 came the Sisters of Charity, under Sister Frances, who after twenty-five years of labor left the orphan homes of her jurisdiction in a condition to challenge the admiration of the world. She was ably aided by many ladies who are now in this hall, and who are aiding this present movement. There was also a gentleman's society working for the same purposes. In 1851 came Father McGinniss, who in Happy Valley, now Market street, started St. Patrick's Church, which has been replaced by the splendid structure of St. Patrick's Church on Mission street. Rev. Father Alemany, the first Bishop of Alta California, arrived at Monterey in 1851. He had been consecrated in November, 1850. In 1853 he became the first Archbishop of San Francisco, and during a period of thirty-one years ably and zealously discharged his duties in the arch-diocese and left his name impressed in

the memory of our hearts. St. Mary's Cathedral was

DEDICATED DECEMBER 25, 1854.

The population of San Francisco at that time was 34,000. The census was made by the State in 1853 as a basis for political representation, and every name on the tombstones were placed upon the list by the political agents who had charge of the matter. At that time everything in California was booming; the deposits at the mint for coinage during several years averaged fifty-five million dollars per annum. Every one was flush in money, and when appealed to for charity the early settlers met the demand with great liberality. Several of the churches erected in 1854 and 1855 might be constructed now at much less cost than then, but it would be harder to collect the smaller sum now than it was the larger at that period. Many articles used in asylums were very high priced, and it taxed the business talent of the organizations to find the means of support. It would seem strange to think that the fertile soil of California could not supply bread for its people, but such was the case. We were depending in the early years upon Chile for flour, and when contrary winds, or the manipulations of a flour ring, got up a corner, flour went up to 40 and 50 dollars per barrel. I paid

such prices while honored with a position in the Roman Catholic Orphan Asylum Society of San Francisco.

ARCH DIOCESE OF SAN FRANCISCO.

It was long settled beyond all doubt that the Missionary Fathers of the Order of St. Francis were the discoverers of the Golden Gate, and that the name it bears is deservedly that of the founder of their order. But two prelates have been in charge of this diocese, and the work they have accomplished is truly wonderful. These are churches in which the service is preached in the language suiting their respective congregations—English, French, Spanish, Italian or German. There are schools and institutions in which the teachers are qualified to speak the language of the various inmates. In the hospitals, under the benevolent organizations, the sisters are composed of members who can reach the hearts of their patients by addressing them in the language of their childhood. We have institutions of learning of the highest class, known as the College of Santa Clara, and in this city, College of St. Ignatius. We have here also the zealous Order of the Christian Brothers, whose methods meet general favor, and who, by their system of practical education, have the grandest field of usefulness before them.

The sisters of the various educational orders by their teachings have spread broadcast throughout the State in thousands of homes the principles of the Catholic faith, qualifying their pupils for their responsible duties as wives and mothers. These teachings have proved a bulwark against the evil tendencies of the age. They uphold the sacred institution of marriage in a community where the law of divorce is invoked oftener than any other chapter of the Civil Code. There is a firm basis for the support of the entire system. The Catholic population is fairly represented in commerce, banking, medical, legal, literary, and scientific professions.

Many of the leading members are engaged in the great enterprise of the times, and then the great multitude who are earnest members of the fold are a most important element in sustaining by their faith the social and moral influences of the Church, whose doctrines are equally for the poor and the wealthy.

The corner-stone of the second cathedral of San Francisco was laid Sunday, May 1st, 1887, thirty-two years after the laying of the first. The increase of the Catholic population has rendered a new one in a more central location necessary. In the corner-stone which may be removed and opened, perhaps after the lapse of centuries the

following statistics will be found in the copper casket:

STATISTICS OF THE ARCH-DIOCESE.

Churches and Chapels.....	133
Academies.....	22
Colleges	5
Hospitals..	4
Asylums	5
Pupils in the Parochial Schools	9,000
Priests, Regular and Secular.....	156
Students studying for the Priesthood	30

The Sisters of Charity, the Sisters of the Presentation, the Sisters of St. Dominic, and the Sisters of Mercy, have educated over one hundred and forty thousand children since their arrival here among us ; while the Sisters of Notre Dame have afforded a superior education to the children of the wealthy classes equal to the highest grade of European establishments.

The Catholic population of the Arch-diocese is now about two hundred thousand. The ratio of increase in the past will be largely exceeded in the future. Immigration is pouring in upon us, owing to our having many railways, more steamers, and accelerated speed upon all the various lines of travel. In the near future there will be two inter-oceanic canals centering the commerce of

the Occident and Orient in the grand and spacious harbor of San Francisco. On the bay there will be soon a naval arsenal and national armory for the protection of our maritime interests on the Pacific. With such works will come largely increased settlement of our sunset land.

We are on the eve of

ENTERING THE TWENTIETH CENTURY.

Many in this vast audience will pass many of its decades. It is now distant in time but little over twelve years. To many of us that period will appear less than twelve months did when we were much younger than we are now. Let the grand work of building the new cathedral, which overlooks the placid sea on the shores of which earnest missionaries planted the cross, go on. Let all vie in zeal in securing its early completion. Every measure is in active operation to make this effort a grand success. The various parishes of the city will be represented in the fair. Various Catholic organizations will take an active part in assisting the good work. United exertions will enable our beloved Archbishop to erect one of the grandest cathedrals of our country. It will be a structure that, fifty years hence, will be a monument to the piety and zeal of the Catholics of the present time. It will be a temple adequate to the wants of the immense population which in a half a century

will occupy this peninsula. There is sufficient wealth and liberality among our people to assist our Archbishop in the great work he has undertaken; it behooves us all, to the utmost of our ability, to provide the means of securing, at an early day, the dedication of the new cathedral to the service of Almighty God.

THE FAIR,

which opens to-night, will prove one of the greatest social reunions ever held in California. The youth, the beauty, the talent and literary ability of the Catholic laity will assemble nightly for a period of two weeks, to assist in the advancement of a cause dear to our hearts. From all parts of the State will come visitors to assist a movement inspired by morality and benevolence. A daily newspaper will be issued under the title of the "Cathedral Chimes." It will be under the management of a talented lady, fearless in the cause of truth, and her assistants will be ladies of well-known literary ability. The reporters will be young ladies and young gentlemen. In the language of the day we may say the "Chimes" will be a "spicy paper." Its columns will contain the proceedings of the Fair, and it will prove a valuable mirror of our times, to be kept for future reference.

May this Fair realize our fondest hopes, and may God grant those who assist in its success the blessings of long life, health, happiness and prosperity.

HAWAIIAN AFFAIRS.

SPEECH

OF

HON. STEPHEN M. WHITE,
OF CALIFORNIA,

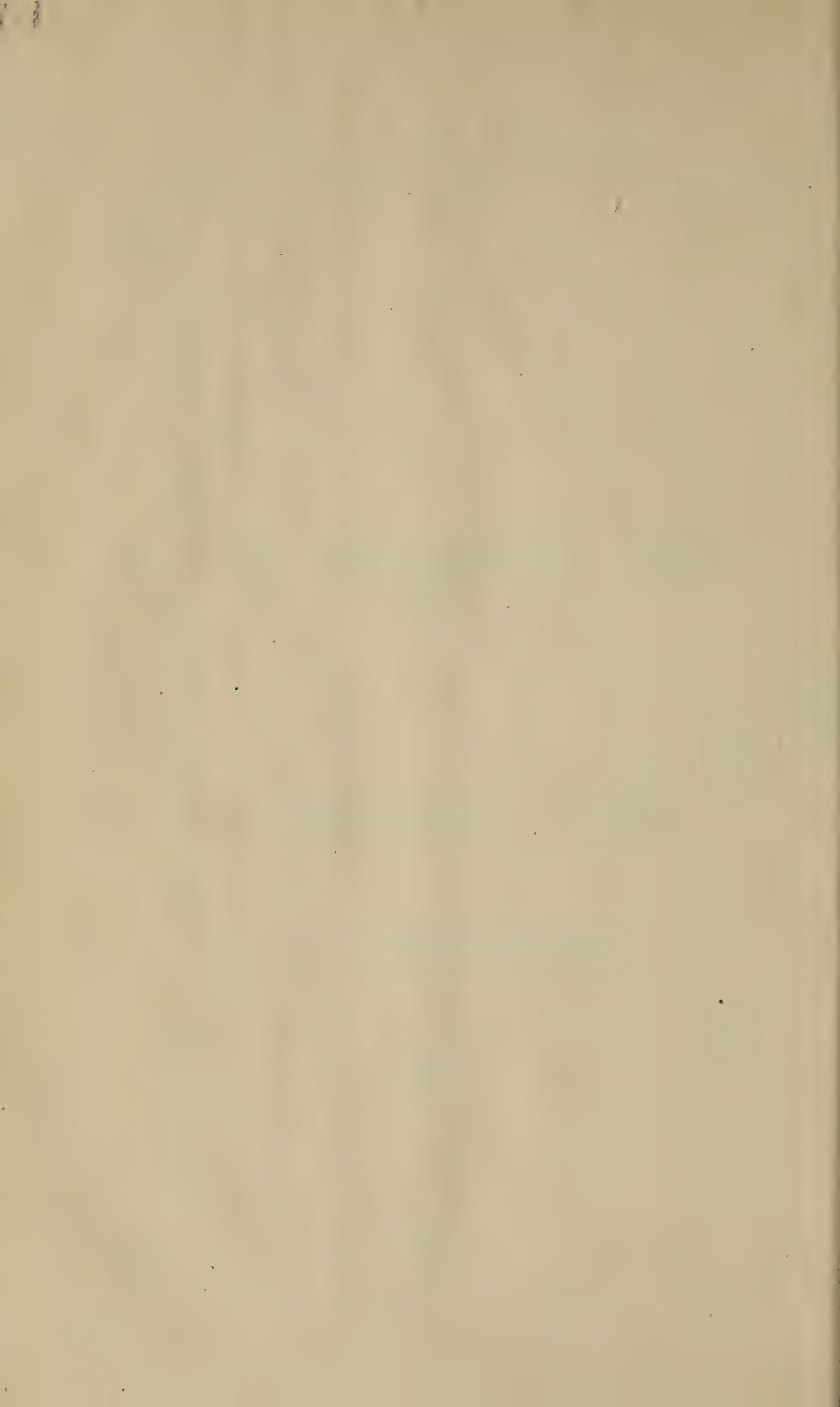
IN THE

SENATE OF THE UNITED STATES,

WEDNESDAY, FEBRUARY 21, 1894.



WASHINGTON.
1894.



Hawaiian Affairs.

SPEECH

OF

HON. STEPHEN M. WHITE,

OF CALIFORNIA.

IN THE SENATE OF THE UNITED STATES,

Wednesday, February 21, 1894.

The Senate having under consideration the resolution reported by Mr. TURPIE, from the Committee on Foreign Relations. January 23, 1894, declaratory of the policy to be pursued under existing conditions toward the Government of Hawaii—

Mr. WHITE of California said:

Mr. PRESIDENT: After the exceedingly interesting and somewhat exciting episode of this morning, I can not expect to challenge the attentive consideration of the Senate, nor do I anticipate that in saying what I have to utter upon the pending resolution, I shall be able to adduce anything novel. In view, however, of the circumstance that it has been proposed to annex the Hawaiian Islands not only to the United States, but particularly to the State of California, which I in part represent here, I have considered it proper to interject some remarks regarding the entire subject. In order to correctly present the views which I deem appropriate to the occasion, I consider that it will be necessary at the outset to speak of the state of affairs which met President Cleveland when he assumed the discharge of his high trust.

In the first place, there was at that time pending in this body a proposed treaty of annexation, an instrument whereby it was attempted not merely to establish diplomatic relations between the United States and the Provisional Government, but the effect of which, had it been ratified, would have been the subversion of the sovereignty of the Hawaiian Islands and the conference of supreme territorial jurisdiction upon the United States. It was then a matter of common report, known to everyone, that it was questionable whether the so-called Provisional Government, proposing that treaty, had been so regularly constituted as to merit continued diplomatic relations. The President was confronted with this condition of things. The proposed treaty was here, and there was doubt, uncertainty, or at least debate, as to the propriety and legality of the proceedings leading up to the presentation of the treaty. It was under these circumstances that the President saw fit to appoint a commissioner to the Hawaiian Islands.

I shall consider in a moment the questions arising out of the action of the Executive in appointing that commissioner and touching his power to do so. It is not disputed that the situation was as I have described it. Mr. Cleveland could not properly while this status existed nominate and submit to the Senate a minister to the Hawaiian Islands without doing violence to the views which he did at that time necessarily entertain. In the first place, it had been reported that a revolution had taken place, and it was said that, as the result of domestic action, the monarchy had been destroyed, and that a government, called a Provisional Government, had been erected upon its ashes. The charge was freely made that this transition had been accomplished by the efforts of our minister, Mr. Stevens, and the naval forces of the United States.

At the outset I freely concede that it is no part of the affair of this Government as to how a foreign revolutionary government has been created. It is beyond our jurisdiction, I admit, to interfere to that extent in the affairs of a foreign state. The rule, I think, is correctly stated by Gen. Halleck in his work upon International Law, as follows:

The right of every sovereign state to establish, alter, or abolish its own municipal constitution and form of government would seem to follow, as a necessary conclusion, from these premises. And from the same course of reasoning it will be inferred that no foreign state can interfere with the exercise of this right, no matter what political or civil institutions such sovereign state may see fit to adopt for the government of its own subjects and citizens. It may freely change from a monarchy to a republic, from a republic to a limited monarchy, or to a despotism, or to a government of any imaginable shape, so long as such change is not of a character to immediately, or of necessity, affect the independence, freedom, and security of others (Halleck's International Law, page 77.)

The same doctrine is found in Pomeroy's International Law, Woolsey's edition, page 47; Hall's International Law, page 21; Woolsey's International Law, section 40.

Said the Supreme Court of the United States, in *Williams vs. Bruffy*, 96 U. S. 185:

Those who engage in rebellion must consider the consequences; if they succeed, rebellion becomes revolution, and the new government will justify its founders.

Indeed, I do not understand that this view is at all challenged. In his celebrated letter to the sheriffs of Bristol, Edmund Burke wrote:

If there be one fact in the world perfectly clear it is this: That the disposition of the people of America is wholly averse to any other than a free government; and this is indication enough to any honest statesman how he ought to adapt whatever power he finds in his hands to their case. If any ask me what a free government is, I answer that for any practical purpose it is what the people think so and that they, not I, are the natural, lawful, and competent judges of this matter. (2 Burke's works, page 283.)

I have referred to these authorities, Mr. President, that my conclusions may not be misunderstood, and that it may be fully appreciated that in everything which I say I recognize and admit the absolute power of the people of the Hawaiian Islands to establish any sort of a government which to them may seem proper. Mr. Cleveland, as I interpret his position, has never made any contrary assertion. Indeed, the very acts regarding which there has been dispute here have been performed because of a desire on his part to relieve a foreign government from the effect of such interference upon the part of Mr. Stevens and certain naval officers of the United States.

Mr. Stevens bore to the Hawaiian Islands the following letter of credence:

Benjamin Harrison, President of the United States of America, to Her Majesty Liliuokalani, Queen of the Hawaiian Islands.

GREAT AND GOOD FRIEND: Having determined that Mr. John L. Stevens, who was accredited as the envoy extraordinary and minister plenipotentiary of the United States, to reside near the government of your illustrious predecessor, King Kalakaua, shall exercise the same functions near the government of your majesty, I have instructed that gentleman to present to you this expression of my wishes, and to commend him to your confidence, as the trusted agent of the Government of the United States in Hawaii, in the full belief that he will deserve that confidence and that his mission will serve to draw still closer, if possible, the friendly relations of the two countries.

I pray God to have your majesty in His wise keeping.

Written at Washington, the 9th day of March, 1891.

Your good friend,

BENJ. HARRISON.

By the President:

JAMES G. BLAINE,
Secretary of State.

Under these credentials Mr. Stevens entered upon the discharge of his duties. He was commissioned to no provisional government, he bore no letter of credence to any power save that which was represented by the Queen; and at the time the change of government took place his legal status, as I understand it, is correctly set forth in the following quotation, which I shall also make from Gen. Halleck:

Where the mission terminates by the decease or abdication of the minister's own sovereign, or the sovereign to whom he is accredited, it is usual for him to await a renewal of his letters of credence. In the former case, a mere notification of the continuance of his appointment is sent by the successor of the deceased or deposed sovereign, and in the latter new letters of credence are sent to the minister to be presented to the new ruler. If a radical change should take place in the character or organization of his own government, it would be the duty of the minister to await new letters of credence, or a ratification of his appointment by the new government. The government to which he is accredited would be justified in declining any new negotiations with him without such ratification or new appointment, or at least without some evidence of a renewal or continuance of his powers. (International Law, page 82.)

A radical change in the form of government terminates the mission of a diplomatic agent. Such is the rule laid down in Pomeroy's International Law, pages 438, 439; Boyd's Wheaton, pages 321, 352; Vattel, pages 460, 461; Hall's International Law, page 301, section 93; Woolsey's International Law (sixth edition, 1892), page 157.

In Prof. Woolsey's edition of Pomeroy's International Law, section 363, the writer, in speaking of the practice as I have stated it, says:

I think it may fairly be said that reason as well as practice favors the latter view. For although every state must decide its form of government for itself, yet after every violent change in the constitution of a state its stability and legality are, so to speak, on trial. Other states are compelled to ask whether the new government is capable of fulfilling its obligations before entering into relations with it. So that the same rules govern the question of diplomatic intercourse with a new state, or an old state under a new government, which govern its recognition. How, then, could a mission to the old state be suspended or be otherwise than terminated when, for an appreciable moment, there is question whether any mission will be received from or sent to the new power?

Mr. President, therefore, the moment that by revolutionary acts the Government to which Mr. Stevens was sent ceased to be, that moment he occupied the position of one who had been

a minister to the court of Queen Liliuokalani, but who was compelled to wait instructions from his parent Government. It was his duty to protect the interests of American citizens. If he recognized the new government, his act depended for its validity upon the ratification of our Executive. Under those conditions, the preceding Administration saw fit to advise Mr. Stevens to assume diplomatic relations with those who constituted the Provisional Government.

I am aware that it is laid down by at least one author upon international law that in case of the recognition of belligerency there can be no withdrawal of the recognition, and it is argued *a fortiori* that that must be the case where the independence of a revolutionary government is recognized; but I take it, if such a case were ever presented, if it could be shown that the newly recognized government, so called, had in fact no nationality, that the recognition received was fraudulently obtained, and that the organization claiming to represent the people was created, brought into existence, and maintained by the agents and officers of the Government of the United States, then and in such event the Executive in the exercise of those powers which he holds for justice and right could and should repudiate such recognition—always guarding the interests of innocent third parties. As to the jurisdiction of the Executive to so sever diplomatic relations, I have no doubt.

This was the condition which confronted Mr. Cleveland. It is not necessary to say that it had been demonstrated that this state of things really existed, but from the facts and surroundings of the matter it was rational to conclude that such recognition as had been accorded had been acquired by deception.

He made no nomination of a minister because he did not know whether the developments of the situation would justify the sending of such a representative. But he appointed a commissioner to the islands with specific instructions, looking to the ascertaining of such facts as would tend to throw light upon the situation. Information was essential. The President felt it to be his duty—and he was right about it—to determine whether, first, there should be any continuation of diplomatic intercourse; and, secondly, whether the treaty pending before the Senate of the United States should be ratified.

As to the power of the Executive upon this subject there should be no controversy.

THE EXECUTIVE HAS THE SOLE JURISDICTION TO DETERMINE WHEN IT IS PROPER TO RECOGNIZE A REVOLUTIONARY GOVERNMENT, AND MUST INAUGURATE, AS FAR AS THE UNITED STATES IS CONCERNED, ALL TREATY PROPOSITIONS.

The question of recognition of foreign revolutionary or reactionary governments is one exclusively for the Executive, and can not be determined internationally by Congressional action.

Different expressions are used in different judicial decisions regarding this power.

In the Prize cases, 2 Black, 666, I find the following:

That a blockade *ae facto* actually existed and was formally declared and notified by the President on the 27th and 30th of April, 1861, is an admitted fact in these cases.

That the President, as the Executive Chief of the Government and Commander-in-Chief of the Army and Navy, was the proper person to make such notification has not been and can not be disputed.

On page 668, same decision, I find the following:

The battles of Palo Alto and Resaca de la Palma had been fought before the passage of the act of Congress of May 13, 1846, which recognized a state of war as existing by the act of the Republic of Mexico. This act (the act of Congress) not only provided for the future prosecution of the war, but was itself a vindication and ratification of the act of the President.

In *United States vs. Yorba*, 1 Wall., 412, the power to recognize is stated to be lodged in the political department of the Government.

In *United States vs. Hutchings*, 2 Wheeler, C. C. 546, which action was tried in 1815 before Marshall, the authority is spoken of as being vested in the Executive.

In the *Hornet*, 2 Abbott, U. S. 35, a case tried before Judge Brooks, in 1870, in the United States district court of North Carolina, the phrase "Executive power" is used.

In *United States vs. Baker*, 5 Blatchford, 56, we find legislative and executive spoken of.

The same in *United States vs. Palmer*, 3 Wheaton, 610; and in the *Nueva Anna*, 6 Wheaton, 193; and in *Gelston vs. Hoyt*, 3 Wheaton, 324—the power is described as being exercised by the Government.

In the *Ambrose Light*, 25 Federal Reporter, 409; *United States vs. Itata*, 56 *Id.*, 505; *United States vs. Trumbull*, 48 *Id.*, 99, it is said that the right to recognize belligerency rests in the Executive.

The case of *Kennett vs. Chambers* (14 Howard, 47) is instructive upon this subject and contains an allusion to the proceedings of this Government regarding the acknowledgment of the independence of Texas which it is well to note. See also note of Mr. Wharton, 1 Wharton, *Id.*, page 553.

Some of these cases have reference to the recognition of belligerency and some refer to the acknowledgment of the status of independent nations.

Mr. Seward, in a letter written to Mr. Dayton, our minister, in April, 1864, said:
No. 525.]

DEPARTMENT OF STATE, *Washington, April 7, 1864.*

SIR: I have received your dispatch of March 25, No. 442, which informs me of the completion of the loan to the Grand Duke Maximilian, and of his anticipated embarkation for Mexico. In order that you may understand the condition of affairs in that country as fully as they are understood here, I have given you a copy of a communication which has lately been received from our consul at Matamoras.

I give you also, for your information, a copy of a note which has been received from Mr. Geoffroy on the subject of the protection which was extended to the consul at that place by Maj. Gen. Heron, and of my answer to that paper. This correspondence embraces some other incidental subjects. It is proper to say that Mr. Geoffroy proposes to communicate to me a statement of another distinct subject of complaint in regard to proceedings on the frontier under instructions from Mr. Dronyn de Luys, and that I have engaged to bestow due consideration upon it.

I send you a copy of a resolution which passed the House of Representatives on the 4th instant by a unanimous vote, and which declares the opposition of that body to a recognition of a monarchy in Mexico. Mr. Geoffroy has lost no time in asking for an explanation of this proceeding. It is hardly necessary, after what I have heretofore written with perfect candor for the information of France, to say that this resolution truly interprets the unanimous sentiment of the people of the United States in regard to Mexico. It is, however, another and distinct question whether the United States would think it necessary or proper to express themselves in the form adopted by the House of Representatives at this time. This is a practical and purely Executive question, and the decision of it constitutionally belongs not to the House of Representatives, nor even to Congress, but to the President of the United States.

You will of course take notice that the declaration made by the House of Representatives is in the form of a joint resolution, which before it can acquire the character of a legislative act must receive first the concurrence of the Senate, and secondly the approval of the President of the United States, or in case of his dissent the renewed assent of both Houses of Congress, to be expressed by a majority of two-thirds of each body. While the President received the declaration of the House of Representatives with the profound respect to which it is entitled as an expression upon a grave and important subject, he directs that you inform the Government of France that he does not at present contemplate any departure from the policy which this Government has hitherto pursued in regard to the war which exists between France and Mexico. It is hardly necessary to say that the proceeding of the House of Representatives was adopted upon suggestions arising within itself, and not upon any communication of the executive department, and that the French Government would be seasonably apprised of any change of policy upon this subject which the President might at any future time think it proper to adopt.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., etc., etc., etc.

There is no substantial conflict, as I have said, in the authorities that the right to recognize either belligerency or independence is vested exclusively in the Executive. It is true that there are instances in the history of this Government where the Senate and House of Representatives have both been consulted, but such consultation was at the mere will of the Executive, and was no indication, even by implication, that the Presidents so asking advice had any doubt of the exclusiveness of his power.

Thus President Cleveland, possessing the authority conferred by the Constitution, found that the condition of affairs in the Hawaiian Islands was in dispute and in doubt.

When he was compelled to either make a treaty subject to the concurrence of the Senate or to withdraw the compact proposed through his predecessor and to determine what diplomatic relations, if any, should be maintained with the provisional establishment, it was not only within his power, but obviously his duty, to investigate and find the facts. To have appointed a minister would have been at once to recognize the existence of that which was in obscurity; to have remained without information would have been to fail in the performance of his functions.

The distinguished Senator from Massachusetts [Mr. HOAR] in the course of his speech referred to sections 1674, 1684, 1751, and 1760 of the Revised Statutes for the purpose of showing that Mr. Blount's appointment was without authority of law. The same sections were referred to by the able Senator from Minnesota [Mr. DAVIS]. The citation from section 1674 is as follows:

Diplomatic officers shall be deemed to include ambassadors, envoys extraordinary, ministers plenipotentiary, ministers resident, commissioners, *chargés d'affaires*, agents, and secretaries of legation, and none others.

Section 1684, as far as quoted, is as follows:

To entitle any *chargé d'affaires*, or secretary of any legation or embassy to any foreign country, or secretary of any minister plenipotentiary, to compensation, they shall respectively be appointed by the President, by and with the advice and consent of the Senate.

That portion of section 1751, to which the distinguished Senators attracted our attention, is worded thus:

No diplomatic or consular officer shall correspond in regard to the public affairs of any foreign government with any private person, newspaper, or other periodical, or otherwise than with the proper officers of the United States.

Mr. President, I assert that the executive power of the President being derived, as it is, from the Constitution, is not subject

to abridgement by any legislative act. I secondly asseverate that there is not a word in either of the sections to which I have attracted attention, which, in any manner, derogates from my argument or tends to show that the President in any way infringed upon the power of any other department of this Government or passed beyond the limits of his own.

In the first place, the second section which I mentioned, and to which I make reference because of the arguments to which I am attempting to formulate an answer, omits the words "commissioners and agents;" that is to say, section 1684 was quoted by learned Senators for the purpose of showing that, because there is no provision for compensation therein, that hence that section, indirectly at least, prohibits the President from making such an appointment as he made in the case of Mr. Blount. Let it be noted that although in section 1674 the words "commissioners" and "agents" are used in the definition of "diplomatic officers," yet these identical terms are studiously omitted in section 1684, showing that the legislative power *ex industria* relieved from the limitations of that part of the law both "commissioners" and "agents."

Section 1751 prevents any diplomatic or consular officer from corresponding with any private person, newspaper, or other periodical, and it is argued that Mr. Blount violated his duty, and that the President was wrong in commissioning him to advise or talk or hold any communication with any third party.

This assertion is tantamount to a declaration that the President of the United States had no right to send Mr. Blount abroad for the purpose of making any inquiry; it is equivalent to a declaration that if his name had been submitted to the Senate and his confirmation had been had, still he would have had no power to perform the duties assigned to him, which duties, Senators assert, could not be discharged unless he had been confirmed.

Manifestly, section 1751 has reference to diplomatic officers who have been nominated and by and with the advice of the Senate appointed. Hence, the argument of the Senator proves altogether too much, for if he be correct, it results that the President of the United States can never send abroad any one to make any inquiry whatever regarding foreign affairs. For his theory is that taking testimony such as Blount took is corresponding regarding governmental affairs within the purview of section 1751. Reduced to this conclusion, the argument fails, I think, for I do not imagine that any one will seek to maintain it if these premises are correct, and even a cursory perusal of the statutes seem to leave no other conclusion.

The declared purpose of the law-making body in enacting section 1751, was to inhibit a minister or consul from divulging the secrets of a foreign government to any party or parties outside of the proper officers of the United States.

If the commissioner or agent mentioned in section 1674 is a diplomatic officer who can not take testimony as did Blount, it is certain that such an examination as Blount was instructed to make could not legally be carried on by a minister regularly confirmed.

It is by no means evident that Mr. Blount ever assumed diplomatic functions. He was sent to the islands solely for the pur-

pose of investigating and fully reporting to the President all facts respecting the condition of affairs in that country, the cause of the revolution, and the sentiment of the people.

Diplomacy is defined to be "The science of the forms, ceremonies, and methods to be observed in conducting the actual intercourse of one state with another, through authorized agents, on the basis of international law; the art of conducting such intercourse, as in negotiating and drafting treaties, representing the interests of a state or its subjects at a foreign court, etc."—*Century Dictionary*.

The word diplomacy implies the existence of negotiations. Mr. Blount was not authorized to negotiate with the Provisional Government nor to do anything but arrive at a correct knowledge of the status of affairs.

Indeed, the ultimate purpose of Mr. Blount's mission was to settle the character of our relations with the islands and to determine whether we would or would not accredit a minister to that portion of the world. The so-called paramount power was conferred solely for the purpose of enabling him to carry on the investigation.

The able Senator from Delaware [Mr. GRAY] has demonstrated both on principle and authority that in Mr. Blount's case there was no office to be filled; that the office spoken of in the Constitution refers to a station of authority that may be vacant—existing independent of incumbency. His argument makes it unnecessary to consider any of the provisions of the Revised Statutes, but I have endeavored to furnish additional reasons showing that Mr. Cleveland did not step beyond constitutional limits.

Section 1760, which refers to salaries, and which has been quoted upon the theory that the Executive had no right to pay Mr. Blount, has no application here. It is as follows:

No money shall be paid from the Treasury to any person acting or assuming to act as an officer, civil, military, or naval, as salary, in any office when the office is not authorized by some previously existing law, unless such office is subsequently sanctioned by law.

"Salary" is defined in the *Century Dictionary* as—

The recompense or consideration stipulated to be paid to a person periodically for services, usually a fixed sum, to be paid by the year, half year, or quarter.

I regard as peculiar and unthoughtful the suggestion that the Executive can not properly use the fund which Congress has committed to his discretion for the purpose of defraying such expenses as those which were incurred in the Blount affair.

The curious may investigate Anderson's and other law dictionaries, where similar definitions will be found.

Mr. President, I take it that even if we concede the power in Congress to limit executive functions constitutionally derived, it is clear that the statutory provisions relied upon by the other side have nothing to do with the case. I have already remarked that the arguments of distinguished Senators, enforcing a different view, simply amount to this, that the President can never send abroad to ascertain anything which it is necessary and proper for him as President to learn.

THE CHARGES AGAINST MR. BLOUNT.

I have been somewhat surprised that derogatory allusions to the character of an eminent American whose services are a part

of the history of this country have been made by Senators during the course of this debate. I have not the pleasure of Mr. Blount's personal acquaintance, but I do not hesitate to say that the aspersions cast upon him are, one and all, beyond the evidence, beyond the necessity, and beyond propriety.

The senior Senator from Illinois [Mr. CULLOM], for whom I have every personal regard and respect, in a speech made in this body, in referring to Mr. Blount used this astonishing language:

Passing by some of the intermediate steps taken by the United States Government, such as the withdrawal of the pending treaty from this Senate; the sending of a special commissioner as a detective, to act as a spy upon a foreign government, without the advice and consent of the Senate, then in session, and other equally ridiculous blunders of Falstaffian diplomacy, we have found a government in Hawaii recognized by the world in full control of affairs. There was, it is true, an American flag flying in Honolulu, to give earnest of the will of the United States that American interests and American citizens should be protected, and that the new Government should be allowed peacefully to conduct its administration pending the treaty negotiations with the United States.

Acting under instructions, this American spy performed his duty by frequent secret reports to the Secretary of State, as to what he found and as to what he did, which included the singular incident of pulling down the American flag.

On another occasion, in earlier history, a distinguished citizen of New York State, in his capacity as a member of the Cabinet of President Buchanan, issued an order something as follows: "If any man pull down the American flag, shoot him on the spot." At a later day, by the order, if I mistake not, of Gen. Butler, at New Orleans, one man was hanged for the same act for which another now receives the thanks of the Executive of the United States.

Another event in Revolutionary history has certain parallel lines to the story of the President's detective in Hawaii. Something over a hundred years ago a British officer of undoubted character and reputation was selected as the special commissioner of his Government to act the part which would complete the betrayal of West Point and other American forts into the hands of the British. Maj. Andre, the distinguished spy, was apprehended and paid the penalty with his life.

Again the Senator said:

Just look at it! Purporting to be an ambassador and accredited to a recognized government, his secret instructions, not even made known to this Senate, if obeyed by him, put him in the attitude, in fact and effect, of the most despicable of offenders against international proprieties. True, his offense was that of his superiors merely, but the punishment is meted to the agent who is caught in the act. Maj. Andre suffered death; Commissioner Blount receives compensation from the United States, but the world condemns both him and his employers.

There are several allusions of the same nature. The senior Senator from Massachusetts [Mr. HOAR] also stated that Mr. Blount was a spy. Is it possible that the meaning of the word "spy" is not understood? Is it possible that any man, upon reflection, will assert that he who in open daylight, carrying a letter of authority which he delivers to the supposed adverse party, and who steps in time of peace within a foreign country to openly act under that letter and with the consent of the individuals and organization regarding whom his investigation is to be made and who proceeds to make it, and does make it, under their eyes and sanction—is it possible that anyone can so far forget himself as to declare such a man to be a spy? It is in conflict with the record to state that Mr. Blount was sent to act as a spy. It is wholly untrue that he purported to be an ambassador. Nor was it legally possible for Mr. Blount to do any act as a spy, nor did he demean himself in the slightest degree improperly.

In the Hulsemann-Mann case the President had sent a secret

agent to a friendly power, upon whose report concerning an internecine struggle he expected to act. Mr. Webster, in defending the conduct of this Government against the charge that Mr. Mann was a spy, used the following definition, fully applicable to the present controversy. He said:

A spy is a person sent by one belligerent to gain secret information of the forces and defenses of the other, to be used for hostile purposes.

Dr. Von Holst (4 Const. History United States, page 69), in speaking of the Hulsemann incident, says that it was "nonsensical and boldly insulting when Hulsemann asserted that Mann had been exposed by those who commissioned him to the fate of a spy." And the same writer, in discussing Mr. Webster's defense of this Government, remarks that the points at issue "Webster submitted to an exhaustive examination and refuted his opponent, who was no match for him, in the most brilliant manner."

No one pretends that Mr. Blount's mission was secret.

In a letter concerning which so much has been said, wherein Mr. Cleveland commended Mr. Blount to the Hawaiian Government, the following language appears:

I have made choice of James H. Blount, one of our distinguished citizens, as my special commissioner to visit the Hawaiian Islands and make report to me concerning the present status of affairs in that country.

Mr. Blount was publicly engaged in collecting evidence, and took the testimony of parties friendly to the Provisional Government, and even participating in it. He made no concealment in his work; was open and above board, and the assertion that he was a spy would, if it emanated from any other source than the distinguished Senators alluded to, be denominated as absurd. His work was rendered necessary by the very project of annexation. An inquiry was practically solicited.

A spy is necessarily a secret agent. No person sent to this or any other country to make an open investigation can be called a spy. And if Mr. Blount's mission was antagonistic to the Provisional Government, every member of it knew that he was endeavoring to obtain the facts regarding the revolution and report the same to the President for such action as the Executive might deem it desirable to take. An imputation of this sort directed against an honored American citizen can not be too strongly condemned. Partisanship has indeed exceeded all bounds if such criticism is to be approved.

During Mr. Blount's mission an annexation newspaper charged him by indirection with misconduct and referred to his communication with the Queen. Mr. Blount at once wrote to President Dole, calling his attention to the imputation (House Executive Document 47, page 65), to which Mr. Dole responded (*Ibid.*, page 66) and said among other things:

The Government sincerely regrets the publication referred to in your communication and I hasten to assure you that it is in no way responsible for the expressions of that or any other paper and thoroughly disapproves of anything that may be published that can be taken as implying any action on your part that is not entirely consistent with your mission.

Mr. Blount was long connected with the legislative department of this Government. He represented in the House an intelligent constituency for many years, and if the Senators who have attacked him here had been present when he was about closing his career in that honorable body, and heard the enco-

miums showered upon him by Republicans and Democrats alike, they certainly would have hesitated before attempting an assault upon his good name. One of the ablest of the Republican members of the House of Representatives, a gentleman of long experience in public life, and who occupied, as did Mr. Blount, a position upon the Committee on Foreign Affairs, eloquently alluded to his associate in terms already quoted here, if I mistake not, by the Senator from Georgia [Mr. GORDON]. It is hardly necessary to repeat, but as the accusations to which I have referred have been made since, I shall cite a few expressions utilized by Mr. HITT in certifying to the qualifications and the character of Mr. Blount. Mr. HITT said:

Mr. Chairman, it would be ungracious to let these remarks, coming from the leader of the other side of the House [Mr. HOLMAN], pass without some response from this side. I have served for ten years with the honorable and distinguished gentleman, the chairman of the committee that has brought this bill to which the committee unanimously consented and to which the House will now assent. The term of my service has been only half the long score of years that measures his honorable career as a legislator, and older members might more fitly speak, but I can not see the time approach when he is to leave our Hall without heartily joining as one member of the House with the honorable gentleman from Indiana [Mr. HOLMAN] in every word he has said in testimony of the personal worth, of the high character, of the industry, of the energy of the honorable gentleman from Georgia, and I will mark most of all that patriotism above party that inspired him in this House when last year leading the great committee charged to consider the affairs and interests not of a party, but of a whole nation embroiled in sharp dispute with a foreign power, he rose with the occasion and proved himself first and altogether a patriot and American [applause]; so that a foreigner, looking down from the gallery upon this Hall, could never have told whether he was a Republican or a Democrat, but would have known that he was in every fiber an American. [Applause.] I am glad of the opportunity to add this single word in echo of what has been so much better said by the honorable gentleman from Indiana. [Applause.]

The distinguished Senator from Massachusetts [Mr. HOAR] said in the course of his able address:

No, Mr. President, this Administration has been hurried into this transaction, not by any sense of justice to Hawaii, not by any desire to vindicate the national honor, but for the sake of making what has turned out to be a weak, impotent attack on its predecessor. The great name and fame of Benjamin Harrison have left a sense of envy and discontent in some bosoms.

But President Harrison, in his last letter of acceptance, alluded not directly but plainly in terms of the highest praise to Mr. Blount.

Having spoken of the difficulties which resulted from the unfortunate transactions at Valparaiso, and having criticised the Democratic party for its platform denunciation of his conduct, he proceeded thus:

I have very great gratification in being able to state that the Democratic members of the Committee of Foreign Affairs—

Mr Blount was Chairman of the committee—

responded in a true American spirit. I have not hesitated to consult freely with them about the most confidential and delicate affairs, and here frankly confess my obligation for needed cooperation.—*President Harrison's letter of acceptance*, September 3, 1892.

Thus it will be observed that the committee referred to by the late President in his letter of acceptance was presided over by Mr. Blount, and yet he complimented its work and fairness. Surely if it had been any part of Mr. Cleveland's desire or purpose to cast aspersions upon his predecessor, he would not have selected for the discharge of the delicate duties of the place one

who had received such a compliment from Mr. Harrison's hands and who had been most impartial and judicial. It seems to me that any allusion to Mr. Blount upon either side of this Chamber ought to be complimentary, and can not be otherwise if we speak within the domain of fact.

Much has been said concerning the lowering of the flag. The able Senator from Illinois [Mr. CULLOM] states in effect that a crime was committed when Mr. Blount ordered the flag taken down. I shall in a few minutes call attention to the necessary conclusion that when Secretary Foster disavowed the act of Mr. Stevens in assuming a protectorate over the islands he clearly disapproved his conduct in raising the flag. When the flag was raised it was for the purpose of assuming control. It was so placed to be the emblem, the evidence, and the proof that the United States asserted dominant influence.

I am surprised that any Senator should assert that it is a crime to take down the flag when it is placed in a position unfitted for its influence. In our national anthem it is declared that—

The star-spangled banner in triumph shall wave,
O'er the land of the free and the home of the brave.

If our flag were allowed to wave over the Hawaiian Islands, would it wave "o'er the land of the free" at this moment? It is conceded that the people have no part in the present government. They are opposed to it. They are not free. They protest. The flag typifies the power of the Republic. It heads the onward movement of rectitude. Its foes are wrong and dishonesty. Under the flag Washington marched that our freedom might be assured; that our people might have their way.

The Declaration of Independence announced a kindred purpose. The Constitution was adopted as proof that the Government for which it provided was that for which the people had battled. Our banner was not chosen to wave over alien lands or over alien peoples. It was intended to float over America's battles; over America's manhood. You are prepared to bear it as you have done, over river, lake, and sea, over prairie, swamp, and mountain, and through forest jungle, that it may be rooted where success means the preservation of the rights for which your fathers fought; but you surely will not permit anyone to use that flag to lead you to a struggle unpatriotic or unjust, or for ends un-American. You will strike down the impious hand thus seeking to misuse the emblem of your nation's glory.

Yes, shoot the man who seeks to tear down the flag when it waves where honor calls it; but remit to condign punishment the wretch who makes patriotism a trade, and using our country's banner for ulterior ends, shields dishonesty and protects crime. The flag is raised for justice. It must be taken down when it can not float without injustice. Its mission is in the cause of integrity. It is desecrated when otherwise devoted. The Stars and Stripes must not assist in the establishment of a government against the popular will, even though we believe that a change will bring improvement. We must leave to the erosive processes of time and civilization the obliteration of inferior races and the overthrow of corrupted dynasties. Not by the sword of this Republic or before her victorious banner shall the one be annihilated or the other subverted.

Mr. President, it appears to be plain that the issue here is, Was the flag raised on a proper occasion? An attempt to stir up feeling and partisanship by the mere statement that the flag was taken down disregards the proposition that it was placed in a location from whence it was our duty to remove it.

In addition to the criticisms upon Mr. Blount's conduct, to which I have made some reference, it is said that he assumed command of the naval forces of the United States. Who is it under the Constitution has a right to direct the Army and Navy of the United States? Can this Chamber control that which the Constitution declares to be within the scope of the Executive? Is there any doubt that Mr. Cleveland had authority, as President of the United States, to dictate the movements of the Army and Navy of the United States? Was this function lodged in Mr. Stevens alone until his mission was terminated by recall?

Mr. Cleveland, as President of the United States, was justified under the Constitution in transmitting an order, directly or indirectly, to any commander of the Navy or Army requiring him to act in accordance with Executive desire and within the lines of the duties pertaining to his place, and Mr. Blount, as his messenger, went to the Hawaiian Islands and complied with the Presidential mandate. He received his orders from the hands of the Executive, to whom it had been given that it might be delegated without the necessity of consultation or advice. I say that it might be delegated, because no one assumes that the President of the United States, acting under the provision of the Constitution now being considered, must do so personally, without the aid of agent or messenger. When Mr. Cleveland gave Mr. Blount the authority which he exercised, the President was acting within the domain of the Constitution.

The precedents cited by other Senators present cases of far greater doubt than this. The impartial historian who examines this matter will reach the conclusion which I have already noted, that pressed to its logical result the argument upon the other side means that in no case can the President of the United States send abroad to obtain information.

Much has been said in the course of this debate as to the conduct of Mr. Stevens. I do not propose to review in detail the various transactions which have already received such careful and exhaustive consideration. I do not intend to recite all the reasons upon which I ground my contention that his behavior was not within the lines of his obligations.

I will cite in a general way a few of the more prominent and undisputed matters appearing in the record.

MR. STEVENS AS A DIPLOMAT AND WITNESS.

The distinguished Senator from Indiana [Mr. TURPIE] has called the attention of the Senate to the circumstance that Mr. Stevens, in his narration of the events which have been under discussion, ten times referred to the late sovereign of the Hawaiian kingdom as the fallen Queen, and that he also spoke of her as the late immoral occupant of the throne, and the Queen and her paramour; and he pertinently asks whether these are the choice phrases of official correspondence or the polished language of diplomacy. But not only did Mr. Stevens use such language since he abandoned his diplomatic career, but I have taken occasion to notice that wherever he has found it neces-

sary to allude to Wilson, the marshal of the Hawaiian Islands, he has displayed the most remarkable feeling and has evinced characteristics wholly at variance with the demeanor and manner of a diplomat, and wholly at variance with the sort of phraseology usually employed by those who make impartial and reliable witnesses.

I concede that his disposition, his mannerisms, even his character should not affect the determination of the question involved in the consideration of this resolution, except in so far as it may affect his testimony by showing his bias and prejudice. But whenever we examine the recital of a witness, whenever in a matter that is subject to the determination of a court we are confronted with an individual testifying, it is pertinent to determine his state of mind, not because the result in that particular must end the controversy, but because it is of importance in reaching a true judgment.

On May 21, 1892, when writing to Mr. Blaine, he used these expressions descriptive of Wilson:

"The Tahitian half-caste marshal, the former reputed, if not the present paramour of the Queen." "The Tahitian and the Queen." "Tahitian favorite." "The Queen and the Tahitian favorite." (House Report 243, page 92.)

And on September 9 of the same year, in a very short letter to Mr. Foster, we find Wilson alluded to twice in the same way (page 94).

In his short letter, written by Mr. Stevens to Mr. Foster on September 14, 1892 (House Report No. 243, page 95), he alludes to Wilson as follows:

"The Tahitian half caste favorite of the Queen." "The Tahitian favorite." "The Queen and the Tahitian." "The half-caste Tahitian favorite."

Making four complimentary references of this sort in one diplomatic communication, without a single mention of the name or the title of his office.

In another communication upon the following page of the same report, in a letter from Mr. Stevens to Mr. Foster, dated October 19, 1892, the former fails to mention Wilson's name once, but designates him as follows:

"The Tahitian favorite and the Queen." "The Tahitian marshal, with all the abuse and corruption which surrounded him and the Queen." "The faction of the Tahitian." "The Tahitian favorite." "The Tahitian favorite of half-English blood."

In another diplomatic letter, same report, page 108, written by Mr. Stevens to Mr. Foster on October 31, 1892, he again uses similar phrases freely and monotonously, thus:

"The Tahitian favorite." "The Queen and the Tahitian." "The Tahitian favorite." "The half-English Tahitian favorite and the Queen." "The Tahitian marshal." "The present Queen and her favorite."

After the so-called revolution, and even after last March, Mr. Stevens in a letter to Secretary Gresham (House Report 243, page 150) again manifested his peculiar disposition and the singular hostility which he entertains toward every one who holds views differing from his own. I quote:

UNITED STATES LEGATION, *Honolulu, March 24, 1893.*

SIR: In my previous dispatches I have given some facts and surmises regarding Japanese ambitions as to these islands. I presume the Department of State has knowledge of the elaborate article of Sir Edward Arnold in the London Telegraph of February 24, strongly anti-American and favoring the surrender of Hawaii to Japanese predominance and protection. By resi-

dence in Japan, as well as by some previously acquired taste of Calcutta and Hindostan life, Arnold seems to accept readily Japanese morals and civilization, warmly flatters the easily susceptible vanity of the Japanese, the real Frenchmen of Asia.

STEVENS FROM THE BEGINNING PLOTTED AGAINST THE GOVERNMENT TO WHICH HE HAD BEEN ACCREDITED.

No right-thinking person will deny that it was the duty of Mr. Stevens when he entered upon his trust to remember his obligations as the representative of a great Government to and before a friendly court to which he bore a letter of credence commending him to the sovereign's confidence. It is admitted in this debate that when the revolutionary movement was conceived, when those who inaugurated the movement were considering the advisability of moving forward, Mr. Stevens was consulted without objection on his part as to what *he* would do.

Let us suppose, Mr. President, that a representative of this Government at the Court of St. James was found consorting with men plotting the overthrow of the British Empire, and stating conditions under which he would recognize the conspirators as a newly-established régime. How would such conduct be regarded by Great Britain, and by the civilized world?

Mr. W. O. Smith, a member of the Provisional Government, in speaking of the transactions of January 15, says:

After we adjourned Mr. Thurston and I called upon the American minister again and informed him of what was being done. Among other things we talked over with him what had better be done in case of our being arrested or extreme or violent measures being taken by the monarchy in regard to us. We did not know what steps would be taken, and there was a feeling of great unrest and sense of danger in the community. Mr. Stevens gave assurance of his earnest purpose to afford all the protection that was in his power to protect life and property. He emphasized the fact that while he would call for the United States to protect life and property, he could not recognize any government until actually established.—*Executive Document 47*, page 122.

Mr. Soper, who is with the Provisional Government, testifies (House Executive Document 47, page 506):

Q. Was anything said about his [Stevens's] agreeing to recognize the Provisional Government in the event of their getting possession of the government building and reading their proclamation—or any other building?

A. You mean at this meeting?

Q. Yes?

A. I can not say positively as to whether I understood it at that meeting, or the following morning. I understood he would recognize a *de facto* government.

Q. What did they say was a *de facto* government?

A. A government that was in possession of the government building, archives, treasury, etc.

Q. The treasury, archives, etc., were in the government building?

A. Yes.

Q. The understanding was then that if the Provisional Government got possession of the government building and read the proclamation that then he would recognize it as a *de facto* government?

A. I believe that was the understanding.

Is there anything in diplomatic history, is there anything in any work on the subject of international jurisprudence which gives such a definition of a *de facto* government? It was not to be a government in possession of the power and substance of the state after the obliteration of a former dynasty, but a *de facto* government according to Stevens meant a handful of men in possession of certain specified structures. Our minister virtually said to those who were contemplating the overthrow of

the Queen to whom he had been introduced as a friend, "Whenever you seize the buildings which I name and thus open the fight and make success probable I will recognize you, that my dream of conquest may be realized. I will do all I can Messrs. Conspirators to protect you."

The evidence upon this subject has been already fully discussed and presented and I do not intend to elaborate further upon it.

Mr. President, I, for one, deny that there is any authority under any system of enlightened or civilized usage justifying an envoy to a foreign court in holding any intercourse or making any bargain with or suggesting any contingency as a basis for action on his part at the dictation or inquiry of insurgents to be. This behavior of our minister is perhaps to some extent overlooked because we are dealing with a feeble people, with a few little islands in the sea, with a race incapable of coping with us; but Mr. Cleveland, with eloquence and undeniable logic, has taken the true position that we must act upon the basis of justice and not with reference to our strength or the weakness of those with whom we are brought in contact.

Mr. President, nearly one hundred years ago, in the Senate of the United States, Gouverneur Morris said: "I do not think that the universe presents a spectacle more sublime than that of a powerful nation kneeling before the altar of justice and sacrificing there alike her passion and her pride." I find here no reason for an American, with the honor and power of this nation in his keeping, to hesitate to admit a wrong done under the cloak of national authority by one who has violated his faith or to hasten to redress the outrage. Nay, I feel as though it were my duty in so far as I am individually concerned to be more punctilious and more scrupulously fair in dealing with inferior nations than in transactions with powerful states competent to guard their interests. The first can protect themselves, the others are at our mercy and dependent upon our honesty and magnanimity.

Mr. President, our minister was not justified under diplomatic usage in recognizing the Provisional Government until it was absolutely in possession of the power of the state and until it exercised actual dominion. While the matter was in active dispute, as I shall presently show, and until the Government was at least tacitly accepted by the people, no recognition should have been made. I am aware that Mr. Stevens represented to President Harrison that when he acted the Queen had been overthrown. Documentary evidence demonstrates that President Harrison was deceived. In his message to Congress concerning the proposed treaty, he says:

At the time the Provisional Government took possession of the government buildings, no troops or officers of the United States were present or took any part whatever in the proceedings. No public recognition was accorded to the Provisional Government by the United States minister until after the Queen's abdication and when they were in effective possession of the government buildings, the archives, the treasury, the barracks, the police station, and all the potential machinery of the Government.

Mr. Stevens's records show that before 4 p. m. of the 17th the Provisional Government had been recognized (House Executive Document No. 4, page 123):

[Extract from records of the United States legation.]
CORRESPONDENCE WITH HAWAIIAN GOVERNMENT.

UNITED STATES LEGATION, *Honolulu, January 17, 1893.*

About 4 to 5 p. m. of this date—I am not certain of the precise time—the note on file from the four ministers of the deposed Queen, inquiring if I had recognized the Provisional Government, came to my hands, while I was lying sick on the couch. Not far from 5 p. m.—I did not think to look at the watch—I addressed a short note to Hon. Samuel Parker, Hon. William H. Cornwell, Hon. John F. Colburn, and Hon. A. P. Peterson—no longer regarding them ministers—informing them that I had recognized the Provisional Government.

JOHN L. STEVENS,
United States Minister.

Lieut. Draper certifies that the police station mentioned by President Harrison's message was not turned over until hours after the recognition by Stevens.

He says (House Executive Document No. 47, page 63):

STATEMENT BY LIEUT. DRAPER.

May 5, 1893. Herbert L. Draper, lieutenant Marine Corps, attached to Boston:

I was at the United States consulate-general at the time the Provisional Government troops went to the station house and it was turned over to them by Marshal Wilson. It was about half past 7 o'clock. The station house is near the consulate-general on the same street. As soon as it happened I telephoned it to the ship. I wanted my commanding officer to know, as I regarded it as an especially important thing.

I was the commanding officer at the consulate-general. There was no other United States officer there at the time excepting myself.

The above is a correct statement.

HERBERT L. DRAPER,
First Lieutenant, United States Marine Corps.

Commander Swinburne's letter (House Executive Document No. 47, page 57) shows the importance attached by Capt. Wiltse to the police station, and is direct to the effect that the same was not in the possession of the Provisional Government until after Stevens had acted:

MR. SWINBURNE TO MR. BLOUNT.

HONOLULU, HAWAIIAN ISLANDS, *May 3, 1893.*

SIR: In response to your verbal request for a written communication from me regarding certain facts connected with the recognition of the Provisional Government of the Hawaiian Islands by the United States minister to that country on the afternoon of January 17, 1893, I have to state as follows:

On the afternoon in question I was present at an interview between Capt. Wiltse, commanding the Boston, who was at that time present in his official capacity with the battalion then landed in Honolulu, and Mr. Dole and other gentlemen representing the present Provisional Government, in the executive chamber of the government building. During the interview we were informed that the party represented by the men there present was in complete possession of the government building, the archives, and the treasury, and that a provisional government had been established by them.

In answer Capt. Wiltse asked if their government had possession of the police station and barracks. To this the reply was made that they had not possession then, but expected to hear of it in a few minutes, or very soon. To this Capt. Wiltse replied, "Very well, gentlemen, I can not recognize you as a *de facto* government until you have possession of the police station and are prepared to guarantee protection to life and property," or words to that effect. Here our interview was interrupted by other visitors, and we withdrew and returned to the camp at Arion Hall. As far as I can recollect, this must have been about 5 o'clock p. m.

About half past 6 Capt. Wiltse left the camp, and as he did so he informed me that the United States minister to the Hawaiian Islands had recognized the Provisional Government established by the party in charge of the government building as the *de facto* government of the Hawaiian Islands. About half past 7 p. m. I was informed by telephone by Lieut. Draper, who

was then in charge of a squad of marines at the United States consulate, that the citizen troops had taken possession of the police station, and that everything was quiet.

Very respectfully,

WM. SWINBURNE,

Lieutenant-Commander, United States Navy.

HON. J. H. BLOUNT,

Special Commissioner of the United States.

But the letter of Mr. Dole (House Executive Document No. 47, page 124), thanking Mr. Stevens for his interference, is absolutely conclusive. It is thus worded:

GOVERNMENT BUILDING, Honolulu, January 17, 1893.

SIR: I acknowledge receipt of your valued communication of this day, recognizing the Hawaiian Provisional Government, and express deep appreciation of the same.

We have conferred with the ministers of the late government, and have made demand upon the marshal to surrender the station house.

We are not actually yet in possession of the station house; but as night is approaching and our forces may be insufficient to maintain order, we request the immediate support of the United States forces, and would request that the commander of the United States forces take command of our military forces, so that they may act together for the protection of the city.

Respectfully, yours,

SANFORD B. DOLE,

Chairman Executive Council.

Therefore it must be assumed that the surrender of the Queen did not take place until after Stevens had been thanked by Mr. Dole for recognizing a government which did not exist, but whose chances Mr. Stevens had much improved. This is in accordance with the Queen's protests made at the very time and constituting a part of the *res geste*. She said (House Executive Document No. 47, page 120):

I, Liliuokalani, by the grace of God and under the constitution of the Hawaiian Kingdom, Queen, do hereby solemnly protest against any and all acts done against myself and the constitutional Government of the Hawaiian Kingdom by certain persons claiming to have established a Provisional Government of and for this Kingdom.

That I yield to the superior force of the United States of America, whose minister plenipotentiary, his excellency John L. Stevens, has caused United States troops to be landed at Honolulu, and declared that he would support the said Provisional Government.

Now, to avoid any collision of armed forces and perhaps the loss of life, I do, under this protest, and impelled by said force, yield my authority until such time as the Government of the United States shall, upon the facts being presented to it, undo the action of its representative and reinstate me in authority which I claim as the constitutional sovereign of the Hawaiian Islands.

Done at Honolulu this 17th day of January, A. D. 1893.

LILIUOKALANI, R.

SAMUEL PARKER,

Minister of Foreign Affairs.

WM. H. CORNWELL,

Minister of Finance.

JNO. F. COLBURN,

Minister of the Interior.

A. P. PETERSON,

Attorney-General.

S. B. DOLE, Esq., and others,

Composing the Provisional Government of the Hawaiian Islands.

Admitting that Mr. Stevens's Christian soul was justly filled with sorrow at the transactions of this foreign court, and that he longed to establish a better system, yet he was sent to the Queen as a friendly representative. He was possessed of two characters, in one of which his individual sentiments while entertained should have been concealed, and in the other he, as

the agent of the United States carrying credentials directed to the Queen, owed her that respect which his own Government accorded. He was bound to find her a sovereign as long as she acted as such and until she was clearly and absolutely deposed, unless the power commissioning him otherwise directed. It was not a question whether Liliuokalani had possession of 100 or 1,000 acres; whether the insurgents held 1,000,000 acres or 1 acre. Was the Queen still maintaining herself? Was there a struggle? She had not resigned the scepter. On the contrary, there stood around her armed men obedient to her mandates.

Conceding for the sake of argument (against my conviction, however), that in an engagement she would have been defeated, yet it was not for Mr. Stevens to solve the problem. It was to be settled without his troops or his proclamations. Stevens could not peer into the future. He had no right to anticipate. It was his business to wait and be governed by the demonstrations of his senses. It was not his place as the representative of this Government to declare it probable that Dole would win, and therefore to anticipate events and recognize him. Recognition was important and even determinative. Not only was impartiality required, but he was compelled to recollect that as a minister he must not be influenced by personal preferences to step outside the lines of his mission.

It is indisputable, I take it, that while there is any conflict the minister must remain inactive as to the recognition of an insurgent. In this instance the impartial investigator must find that when Mr. Stevens came to the rescue there was still a conflict; that there had been no surrender; that Liliuokalani claimed to be Queen, and that there was force about her when our minister, backed by the military power of the United States, declared in favor of a contestant to whom he was not accredited, and against a contestant to whom he was accredited by his master, the United States of America.

Mr. TELLER. I should like to ask the Senator from California a question or two if it will be no interruption to him.

Mr. WHITE of California. No, sir; it will be no interruption.

Mr. TELLER. I understand the Senator to lay down the doctrine that there being a change of government in the Hawaiian Islands, Mr. Stevens ceased to be the representative of the Government of the United States in those islands without reference to the will of either his own Government or the Government of Hawaii. Am I correct?

Mr. WHITE of California. No; my proposition is this: In all of the authorities which I have cited and will cite (and there are a great many of them)—in fact by all publicists of whom I have any knowledge—the rule is laid down that when there is a radical change in the form of government—

Mr. TELLER. The Senator need not read it over again. I will take his statement.

Mr. WHITE of California. I prefer, however, to make my answer in my own way, if the Senator will excuse me.

Mr. TELLER. Certainly; only I heard his authority read.

Mr. WHITE of California. I desire to call the attention of the Senator to the statement that he may examine it at his leisure if he may not have heard my reference. The authorities upon

the subject are very fully collated in Mr. Pomeroy's work on International Law, page 277, where (and my investigation appears to bear this out) it is stated that when there is any radical change in the form of government to which the diplomatic agent is accredited his power ceases until in some manner his home government has recognized the new authority, it being, however, his duty to protect as far as he can his own country's interest pending the decision.

Mr. TELLER. Then I understand the Senator denies the right not only of our own minister but of all other ministers to recognize that as the *de facto* government, as they did, as the Senator must be aware.

Mr. WHITE of California. I deny the right of Mr. Stevens in this particular case to do so. He might declare his recognition, but the power and validity of his act must depend upon its ratification by the home Executive, in whom the power to recognize is, under all the authorities, exclusively vested.

Mr. TELLER. The Senator, I suppose, is aware that all the diplomatic representatives there promptly recognized that Government?

Mr. WHITE of California. "Promptly" is the word used by Mr. Stevens, which meant the next day.

Mr. TELLER. That is the fact, too, is it not? They did do it the next day.

Mr. WHITE of California. Yes. They gave it a qualified recognition in almost every case.

Mr. TELLER. The Senator says it was not a *de facto* government. Does the Senator mean to say that it is not a *de facto* government to-day?

Mr. WHITE of California. No, sir.

Mr. TELLER. Will the Senator tell us when it became a *de facto* government?

Mr. WHITE of California. I would say it became a *de facto* government when it was in possession of the governmental power of the Hawaiian Islands, which it was not in possession of at the time Mr. Stevens recognized it.

Mr. TELLER. Oh, I beg the Senator's pardon. He did not recognize it until the day the representatives of the other governments did, and the Queen had then formally abdicated.

Mr. WHITE of California. The Senator is mistaken. Let me state to the Senator that Mr. Dole, in his letter thanking Mr. Stevens for his recognition, admits that he is not in possession of the entire power, but expects to seize the police headquarters; and upon his great expectations the recognition was had.

Mr. TELLER. Then, will the Senator tell us exactly when it became a *de facto* government, so that we may see what our relations were from that time on?

Mr. WHITE of California. I think, if the Senator will wait until I conclude—

Mr. TELLER. I will not dispute the question of fact with the Senator. I want him to give me the date when it became a *de facto* government, if he can do so.

Mr. WHITE of California. I am unable to give the Senator the date when it became a *de facto* government, but it became such, as I have already said, whenever it had entire dominion,

when Liliuokalani ceased to exercise any authority, and when our flag was taken down and we were no longer in command of the islands. From that time I think it became a *de facto* government, because I know of no other power exercising governmental functions.

Mr. TELLER. Was it a *de facto* government when the President of the United States commissioned Mr. Blount to go there, and when the President of the United States also recognized Mr. Stevens as the minister of the United States Government?

Mr. WHITE of California. What President?

Mr. TELLER. President Cleveland.

Mr. WHITE of California. When?

Mr. TELLER. In March, 1893.

Mr. WHITE of California. I shall be very happy to answer all these questions in the progress of my remarks, but I do not recollect the exact date when every particular transaction occurred. So I decline to fix them. I will say further that I must not suppose, upon these matters of fact concerning which I am being catechised, the Senator from Colorado lacks any information.

Mr. TELLER. I do not desire to catechise the Senator, but the Senator has laid down some principles of law which I think he can hardly sustain, and I wished to attract his attention to them.

Mr. WHITE of California. I am happy to have my attention attracted to anything of that kind.

Mr. TELLER. It is important to determine when that government had any existence which could be recognized. Of course it had at some time or other, but I want to know when. I wish to know of the Senator whether he claims, as a question of international law, that the Government, having recognized another government as an existing government, it is within the power of the Government at a subsequent time to withdraw that recognition?

Mr. WHITE of California. I have discussed that heretofore. Ordinarily I should say not, unless—

Mr. TELLER. Has the Senator any reference to any precedent of that kind in his extensive study?

Mr. WHITE of California. No, sir; but I have no reference to any government created as was this, and to no such circumstances as those under which it was called into existence. Hence I have no facts to which to apply any precise rule with which I am acquainted. Each case must be judged upon its facts, and I am judging this case upon its facts.

Mr. TELLER. The Senator, I understand, has laid down the rule correctly, that it is the President of the United States who must recognize a government.

Mr. WHITE of California. Yes, sir.

Mr. TELLER. I agree with him in that. Does the Senator hold that when one Executive has recognized a Government his successor may revoke that order?

Mr. WHITE of California. I am not confronted with that proposition, since it has not been done, but under ordinary circumstances I would say no. But if it should turn out that the preceding Executive had been deceived by the beneficiaries of the recognition in material matters, I have no doubt it would be the

duty of this Government to sever diplomatic relations, taking care at all times to guard the interests of third parties.

Mr. TELLER. I wish to ask the Senator if he thinks now that it is still the duty of the Government of the United States to undo what he says Minister Stevens has improperly done? Does he think it is still our duty to return the Queen to power?

Mr. WHITE of California. No.

Mr. TELLER. Then I should like to further inquire when it ceased to be our duty so to do?

Mr. WHITE of California. I am thoroughly willing to state to the Senator anything regarding his present duty, but as to past obligations upon this subject or the minute when it ceased to be his duty or my duty to do a particular act, I decline at this moment to be interrogated. I am not very good at remembering dates, and I do not propose to be interrogated upon a subject that may call into exercise that faculty which I should like to have more fully developed than it is. I will state to the Senator, since his remark has called for it, that I will even go as far as he did upon the floor the other day—and I have authority to sustain me—that for all practical purposes a *de facto* government is a *de jure* government. (Ferguson's Manual of International Law, volume 1, page 83.) The Senator stated this proposition upon another occasion, and I do not doubt its correctness, though I believe others differ from him.

I will further remark as the Senator from Colorado will discover, if am permitted to conclude, that I do not oppose either branch of the pending resolution. The phraseology, perhaps, may be altered. I am not speaking of that, nor do I know that I care, but I am in favor of doing that which the Senator declared very lately ought to be done. I am in favor of declaring, first, that it is against our policy to take, or at least that we will not take, any steps looking to the annexation of these islands; and secondly, that as the Provisional Government has been recognized and has endured so long that we will continue that recognition and leave the Hawaiian people to solve disputed matters of government as they see fit. If the Senator had been here when I commenced my remarks, he would have heard me read three or four authorities from well-known writers upon this point.

Mr. TELLER. Will the Senator allow me to interrupt him?

Mr. WHITE of California. Certainly.

Mr. TELLER. I have never made any suggestion that I am not in favor of annexation.

Mr. WHITE of California. I understood the Senator to say that he is in favor of the pending resolution.

Mr. TELLER. I said I am in favor of the pending resolution except the first part of it.

Mr. WHITE of California. Of course, the Senator knows I do not wish to attribute to him virtues which he has not.

Mr. TELLER. I only want to put in my caveat.

Mr. WHITE of California. I have no objection at all to the interruption, because I have always found that the Senator's statements, especially of legal propositions, are in accord with me, and this is rather complimentary to me perhaps, and I do not think that he will differ from me when he considers what I have said and when he hears me through.

Mr. President, when the Senator interrupted me I was discuss-

ing Mr. Stevens's conduct. I wish to say that I agree with my friend from Colorado that the propriety of the passage of the resolution before us does not depend upon Mr. Stevens's behavior, whether it was good, bad, or indifferent. But I am discussing the subject because assertions have been made by Senators upon the other side which I conceive are not warranted, which have resulted in injustice to patriotic citizens who are doing their utmost to further the interests of our country and to keep it in the path of rectitude. Hence if I shall say aught that is not absolutely and directly material to this particular resolution, it must be remembered that it is in response to arguments which have been made upon the other side.

I have stated that Mr. Stevens erred when he recognized the existence of a government at a time when the fortunes of war had not indubitably settled the struggle. The recognition of a revolutionary government by a minister to which attention has been called, differs materially from that by the Executive. The one is the exercise of an assumed function which depends for its efficacy upon subsequent approval—*sub spe rati*. In several instances in our diplomatic history, notably in connection with our transactions with France, our minister recognized a revolutionary government, and his act was ratified by the Executive. But in the case before us, we find a minister who recognizes not an undisputed government, but one that is disputed, not an authority holding dominion uncontested and possessed of the effective power of the state, but a faction engaged in a conflict and constituting, in my judgment, the weak side of the fight.

Mr. Stevens in his many letters to the Department of State evinced a disposition to seize the Islands regardless of the popular will.

On August 20, 1891 (House Report, page 243), Mr. Stevens informed Secretary Blaine that it might be well to have a war ship on hand soon. In all of the letters from which I have quoted as to Mr. Stevens's peculiar expressions there is contained a manifest spirit of opposition to the existing Government, and a desire for its overthrow. Without pausing here, it will be enough to make a mere reference to these communications.

On October 31, 1892 (House Report, page 108), Mr. Stevens writes to Mr. Foster thus:

There are strong reasons for the belief that were it not for the presence of the American naval force in the harbor the Tahitian marshal and his gang would induce the Queen to attempt a *coup d'etat* by proclaiming a new constitution, taking from the Legislature the power to reject ministerial appointments.

It will thus be seen that Mr. Stevens understood that the naval force of the United States might be used to effect the decision of the local government upon constitutional matters.

Stevens disclosed his plans and ambitious designs in his celebrated letter to Mr. Foster.

Mr. GEORGE. What is the date of the letter from which the Senator is about to read?

Mr. WHITE of California. The 20th of November, 1892. He says:

An intelligent and impartial examination of the facts can hardly fail to lead to the conclusion that the relations and policy of the United States toward Hawaii will soon demand some change, if not the adoption of decisive measures, with the aim to secure American interests and future supremacy

by encouraging Hawaiian development and aiding to promote responsible government in these islands.

He then proceeds to discuss the many supposed advantages to accrue to the United States from the acquisition of the Hawaiian Islands. At that time there was no Provisional Government. When Mr. Stevens suggested absorbing the islands and the assumption of supremacy over them there was no domestic struggle in progress. There was not even a commotion, as took place when the troops were landed. There was no opportunity for him to exercise his remarkable government-making proclivities by acknowledging the nationality of a handful of men and using the naval strength of his Government to enforce their claims. But affairs were comparatively quiet; there was no turmoil. Yet he proceeded to argue in favor of annexation in the manner now to be related. He said:

The men qualified are here to carry on good government, provided they have the support of the Government of the United States.

Ah, this was a case where a man who ought to be honored was unable to find anyone in his neighborhood appreciating his merits. There were men qualified to rule, but in order to rule they must have the support of the Government of the United States. They were not understood at home—not wanted as rulers by their countrymen.

Why not postpone American possession? Would it not be just as well for the United States to take the islands twenty-five years hence?

And then he proceeds to argue against the postponement thus:

Two-fifths of the people now here are Chinese and Japanese. If the present state of things is allowed to go on the Asiatics will soon largely preponderate, for the native Hawaiians are growing less at the rate of nearly 1,000 per year. At the present price of sugar, and at the prices likely to hold in the future, sugar-raising on these islands can be continued only by the cheapest possible labor—that of the Japanese, the Chinese, and the Indian coolies. Americanize the islands, assume control of the "Crown lands," dispose of them in small lots for actual settlers and freeholders for the raising of coffee, oranges, lemons, bananas, pineapples, and grapes—

He did not say "ripe pears." [Laughter.]

and the result soon will be to give permanent preponderance to a population and a civilization which make the islands like Southern California, and at no distant period convert them into gardens and sanitariums, as well as supply stations for American commerce, thus bringing everything here into harmony with American life and prosperity.

Now listen to this statement:

To postpone American action many years is only to add to present unfavorable tendencies and to make future possession more difficult.

Hence at this moment when there was no possible warrant for interference, when there was no pretense of domestic disturbance, no danger to American citizenship, or American homes, or American life, or American comfort, he declares "that to postpone American action many years is only to add to present unfavorable tendencies." What action did he in this remarkable letter suggest was the best to be taken?

One of two courses—

Says he, on page 117, House report 243—

seems to me absolutely necessary to be followed, either bold and vigorous measures for annexation or a "customs union," an ocean cable from the Californian coast to Honolulu; Pearl Harbor perpetually ceded to the United States, with an implied but not necessarily stipulated American protectorate over the islands. I believe the former to be the better.

What former course did the minister allude to? The former course was that which is expressed in these words: "Bold and vigorous measures for annexation." What did he mean by "bold and vigorous measures"? A protectorate? No; because he considered the protectorate scheme and repudiated it, but he meant bold and vigorous measures to result in the acquisition of territorial supremacy in those islands. In other words, at that time, in the hour of profound peace, when he represented this friendly Government at that court, he advised the Secretary of State and gave it as his deliberate opinion that it was the business and office of this Government to capture the Hawaiian group.

He remarks, page 118, same report:

It is equally true that the desire here at this time for annexation is much stronger than in 1889. Besides, so long as the islands retain their own independent government there remains the possibility that England or the Canadian Dominion might secure one of the Hawaiian harbors for a coaling station. Annexation excludes all dangers of this kind.

Mr. Stevens not only insisted on "bold and vigorous measures," but he was also opposed to independence, because he says that so long as the islands retain their own independent government this deprecated condition must last. Hence he was in favor of a bold and vigorous policy, one which would take away the independence of the islands and reduce them to the position of dependency, or culminate in annexation.

Mr. President, when we find that a certain thing has been committed or done and there is a question as to the motive or a doubt concerning the inspiration of the matter, we inquire as to the animus of the party accused. Here is Mr. Stevens for months striving to acquire the islands by bold and vigorous measures, finally enjoying the coveted opportunity. His soul filled with the idea, possessed with the notion that it was his function to reform the Hawaiian people and to bring them within the jurisdiction of this Republic. This was the end in view. As to the means to be adopted or the wishes of the people he cared not. Poor human nature could not resist. The deed was done. He acted contrary to law and against propriety, but moved in accordance with his opinion. Cervantes says, I think, that every man is what Heaven has made him—and sometimes a great deal worse. I do not know that it would be proper to criticise Mr. Stevens harshly or to make a personal attack upon him. I believe he has acted pursuant to his lights.

I have said that the Provisional Government was dependent upon Mr. Stevens. Again, I am not required to submit the testimony of antiannexationists. I am not required to call to the witness stand any one who represented or represents interests opposed to Mr. Stevens, but I appeal to the letter of the Provisional Government, addressed upon the 31st day of January to Mr. Stevens, worded as follows:

HONOLULU, HAWAIIAN ISLANDS, *January 31, 1893.*

SIR: Believing that we are unable to satisfactorily protect life and property, and to prevent civil disorders in Honolulu and throughout the Hawaiian Islands, we hereby, in obedience to the instructions of the advisory council, pray that you will raise the flag of the United States of America for the protection of the Hawaiian Islands for the time being, and to that end we hereby confer upon the Government of the United States, through you, freedom of occupation of the public buildings of this Government, and of

the soil of this country, so far as may be necessary for the exercise of such protection, but not interfering with the administration of public affairs by this Government.

We have, etc.,

SANFORD B. DOLE,
President of the Provisional Government of the Hawaiian Islands,
and Minister of Foreign Affairs.
 J. A. KING,
Minister of the Interior.
 P. C. JONES,
Minister of Finance.
 WILLIAM O. SMITH,
Attorney-General.

His Excellency JOHN L. STEVENS,
Envoy Extraordinary and Minister Plenipotentiary
of the United States.

These individuals, who are claimed to have been strong enough to overthrow the Queen when she was surrounded by her friends and with her military forces, these men who had obtained all the support which the record shows was given them by the naval forces of the United States, find themselves unable to preserve their Government in the presence of their disarmed and dispossessed rivals. Can it be possible that the Provisional forces were able to conquer the Queen, and still unable to retain the position which it is claimed they won? Certain it is, that it was found necessary to solicit the interposition of the United States to preserve that which every nation must be able to enforce or go to pieces—order. The effect of the hoisting of the flag was expressed in Mr. Stevens's telegram of February 8, wherein he said:

The affairs of state continue to be hopeful. Hoisting flag in protection of this Government was expected. Subjects who were doubtful now for annexation. The natives show unexpected regard for the United States flag.

No wonder the Dole administration became more generally respected. All admitted the power of the United States. That the flag was raised to indicate American dominancy is apparent from the letter of Mr. Stevens to Mr. Foster, dated February 8, 1893. He there said:

As soon as it can become a certainty that these islands are to remain under the United States flag as a part of American territory, there is little doubt that all the principal leaders will wish to become American citizens, and their assistance can be had to help bring the native people into ready obedience to American law and fidelity to the American flag.

It is unnecessary to argue as to the impropriety of Stevens's conduct in raising the flag since Mr. Foster in his letter of February 14, in speaking of Stevens's course, said:

So far as it may appear to overstep that limit by setting the authority of the United States above that of the Hawaiian Government in the capacity of protector, or to impair the independent sovereignty of that Government by substituting the flag and power of the United States, it is disavowed.

Secretary Tracy, in writing to Admiral Skerrett, disavowed the action of that commander in setting the authority of the United States above that of the Hawaiian Government. The proclamation of Mr. Stevens assuming control is a remarkable one. It is as follows:

By authority of the Hawaiian people:

At the request of the Provisional Government of the Hawaiian Islands, I hereby, in the name of the United States of America, assume protection of the Hawaiian Islands for the protection of life and property, and occupation of the public buildings and Hawaiian soil, so far as may be necessary for

the purpose specified, but not interfering with the administration of public affairs by the Provisional Government. This action is taken pending and subject to negotiations at Washington.

JOHN L. STEVENS,

Envoy Extraordinary and Minister Plenipotentiary of the United States.

When we consider that Mr. Stevens for two or three years had been in favor of a vigorous policy with reference to annexation, that he was holding secret meetings with revolutionists who had not as yet accomplished anything, and that immediately after that secret meeting he was requested by the revolutionists to land troops (no American citizen as such made any demand upon him for aid), that he did land them, that thereupon a provisional government was proclaimed, that he immediately recognized it, while the Queen was yet possessed of effective power, and afterwards ran up our flag and announced that the country was under the protection of the United States, no rational being can doubt that this Government through Mr. Stevens was a participant in the overthrow of a foreign government.

The matters which I have thus cited are, as I have stated, admitted. It is perfectly immaterial whether any gentlemen have an opinion to the effect that the Queen would have lost her throne without Stevens's interposition. It is plain that the ability of the revolutionists was not tested, but that the deed was accomplished through the Government of the United States.

That there was no commotion of magnitude appears from the statement of Mr. Wundenberg (House Executive Document No. 47, page 577). He states:

At the time the men landed the town was perfectly quiet, business hours were about over, and the people—men, women, and children—were in the streets, and nothing unusual was to be seen except the landing of a formidable armed force with Gatling guns, evidently fully prepared to remain on shore for an indefinite length of time, as the men were supplied with double cartridge belts filled with ammunition, also haversacks and canteens, and were attended by a hospital corps, with stretchers and medical supplies.

The curiosity of the people on the streets was aroused, and the youngest, more particularly, followed the troops to see what it was all about. * * * During all the deliberations of the committee, and, in fact, throughout the whole proceedings connected with plans for the moving up to the final issue, the basis of action was the general understanding that Minister Stevens would keep his promise to support the movement with the men from the Boston, and the statement is now advisedly made that without the previous assurance of support from the American minister, and the actual presence of the United States troops, no movement would have been attempted, and if attempted would have been a dismal failure, resulting in the capture or death of the participants in a very short time.

This gentleman is admittedly a man of strict integrity and high standing. The letter written by Admiral Skerrett to Mr. Blount demonstrates that the troops were not landed to protect American interests or for any other purpose than to facilitate the revolution. That letter is as follows:

U. S. S. BOSTON, FLAGSHIP OF THE PACIFIC STATION,
Honolulu, Hawaiian Islands, May 20, 1893.

SIR: I have examined with a view of inspection the premises first occupied by the force landed from the United States steamer Boston, and known as Arion Hall, situated on the west side of the government building. The position of this location is in the rear of a large brick building known as Music Hall. The street it faces is comparatively a narrow one, the building itself facing the government building. In my opinion, it was unadvisable to locate the troops there if they were landed for the protection of the United States citizens, being distantly removed from the business portion of the town, and generally far away from the United States legation and consulate-general, as well as being distant from the houses and residences of United

States citizens. It will be seen from the accompanying sketch that had the Provisional Government troops been attacked from the east, such attack would have placed them in the line of fire.

Had Music Hall been seized by the Queen's troops, they would have been under their fire had such been their desire. It is for these reasons that I consider the position occupied as illy selected. Naturally, if they were landed with a view to support the Provisional Government troops, then occupying the government building, it was a wise choice, as they could enfilade any troops attacking them from the palace grounds in front. There is nothing further for me to state with reference to this matter, and as has been called by you to my attention, all of which is submitted for your consideration.

Very respectfully,

J. S. SKERRETT,
Rear-Admiral, United States Navy,
Commanding United States Force, Pacific Station.

Col. J. H. BLOUNT,
United States Minister Plenipotentiary and
Envoy Extraordinary, Honolulu, Hawaiian Islands.

NO TREATY OF ANNEXATION SHOULD BE MADE.

One of the questions to be determined here, as far as the resolution is concerned, and one of the matters to which Mr. Cleveland's mind was directed, concerns the ratification of the treaty.

Mr. President, I am against annexing the Hawaiian Islands. I am opposed to annexation because the Provisional Government has not the stability to warrant the execution of such a contract. Its endurance is problematical.

A treaty is valid if there be no defect in the manner in which it has been concluded; and for this purpose nothing more can be required than a sufficient power in the contracting parties, and their mutual consent sufficiently declared.—*Vattel*, page 193.

"Sufficient power in the contracting parties." Understand me, Mr. President, I do not mean to say that a *de facto* government, which I have admitted to be *pro hac vice* a *de jure* government also, has no power to enter into a treaty with a nation which sees fit to recognize it, but I affirm that in dealing with another nation this Republic must take into consideration the condition of affairs under which those claiming to represent the other party seek to exercise supreme authority. We, as a free people, maintaining constitutional principles which we have attempted to perpetuate for the benefit of mankind, can not afford to take within our confines new territory unless we know beyond all cavil and all dispute that there is not only technical power in those executing the contract, but that they who so act in truth express the unquestioned will of the people.

Mr. MITCHELL of Oregon. May I ask the Senator from California a question?

Mr. WHITE of California. Certainly.

Mr. MITCHELL of Oregon. Suppose there were no question in the mind of the Senator from California as to the stability of the existing Government of the Sandwich Islands, would the Senator then favor annexation?

Mr. WHITE of California. I am about to state that I would not, and will give the reasons for my conclusion. I have given one reason. Secondly, the Provisional Government does not represent the people.

If this proposition is correct the deduction is inevitable that there should be no annexation. Upon what do I base this assertion? I am fully aware the authorities are that for business and commercial purposes and the carrying on of diplomatic relations the existence of a government for a reasonable length of

time must be taken as evidence that it is supported by the people. This is a rule for convenience. Again, I say that we can not afford to rest upon mere presumptions which the history of the world has demonstrated time and time again, may or may not be well founded, but we must know that the will of the people prevails. Disregarding the mere presumption indulged in for the objects already mentioned, we should look deeper and act upon certainty. When we reach beyond the sea and beyond the jurisdiction of our flag and beyond the limits of this Republic and take within us alien territory we must find that we are acting in accordance with the wishes of the people, whose property, liberties, and lives we contemplate bringing within the reach of our laws.

Mr. Webster said March 15, 1843:

We seek no control over their Government nor any undue influence whatever. Our only wish is that the integrity and independence of the Hawaiian territory may be scrupulously maintained and that its Government should be entirely impartial toward foreigners of every nation.

President Johnson on December 9, 1868, while referring favorably to a project of annexation, said that he regarded reciprocity with Hawaii as desirable "until the people of the islands shall of themselves at no distant day voluntarily apply for admission to the Union."

Mr. Bayard in his letter to Mr. Merrill July 12, 1887, which is found in House Report 243, page 17, says:

As is well known, no intent is cherished or policy entertained by the United States which is otherwise than friendly to the autonomous control and independence of Hawaii.

This does not accord with Mr. Stevens's notion as expressed in his letter of November 20, that the independence of the islands is undesirable.

The authorities with reference to the recognition of the independence of revolutionary governments are, in substance, that no affirmative action should be taken until there is evidence that the new system is approved by the people.

Said Minister Seward, in his dispatch to Mr. Bigelow, the United States Minister to France, on June 30, 1865 (see Dana's Wheaton, Note 41):

So far as our relations are concerned, what we hold in regard to Mexico is, that France is a belligerent there, in a war with the republic of Mexico. We do not enter into the merits of the belligerents, but we practice in regard to the contest the principles of neutrality, as we have insisted on the practice of neutrality by all nations in regard to our civil war. Our friendship toward the republic of Mexico and our sympathies with the republican system on this continent, as well as our faith and confidence in it, have been continually declared. Political intervention in the affairs of foreign states is a principle thus far avoided by our Government.

It will be observed that when this letter was written, Maximilian had been upon the throne for a considerable period of time.

The habitual obedience of the members of any political society to a superior authority must have once existed in order to constitute a sovereign state. (Dana's Wheaton, page 34.)

The independence of the Spanish provinces of South America was finally recognized by Congress, and diplomatic relations established in January, 1822, several years after the revolutionists had assumed complete control.

Said President Jackson in December, 1836:

The acknowledgment of a new state as independent and entitled to a place in the family of nations is at all times an act of great delicacy and responsibility. * * * In the contest between Spain and the revolted colonies we stood aloof and waited not only until the ability of the new states to protect themselves was fully established, but until the danger of their being again subjugated had entirely passed away. Then, and not until then, they were recognized. Such was our course in regard to Mexico herself. The same policy was observed in all the disputes arising out of the separation into distinct governments of those Spanish-American states which began or carried on the contest with the parent country united under one form of government.

We acknowledged the separate independence of New Granada, Venezuela, and of Ecuador only after their independent existence was no longer a subject of dispute or was actually acquiesced in by those with whom they had been previously united. * * * Prudence, therefore, seems to dictate that we should still stand aloof and maintain our present attitude, if not until Mexico itself or one of the great foreign powers shall recognize the independence of the new government, at least until the lapse of time or the course of events shall have proved beyond cavil or dispute the ability of the people of that country to maintain their separate sovereignty and to uphold the government established by them.—*Dana's Wheaton*, pages 44-45.

The independence of the South American republics was recognized first by the United States and tardily by England, but by both upon the ground that, after long-recognized belligerency and the practically unobstructed exercise by them of sovereign powers, Spain, separated by an ocean, had abandoned actual efforts for their reduction, and only clung to a nominal right.

* * * Mr. Clay proposed in Congress a mission to the South American provinces to express the sympathy of the United States and with a view to enter into friendly relations with them at a future day. The proposition was rejected by a vote of 115 to 45, on the ground of the still unsettled state of the provinces and the continuance of actual war.—*Dana's Wheaton*, page 43, note.

In justifying the action of the United States regarding the South American difficulties, Mr. Gallatin, our minister at Paris, wrote to the Secretary of State, Adams, on November 5, 1818, among other things, thus:

We had not, either directly or indirectly, excited the insurrection. It had been the spontaneous act of the inhabitants and the natural effect of causes which neither the United States nor Europe could have controlled. We had lent no assistance to either party; we had preserved a strict neutrality. (1 Wharton's International Law, page 532.)

Mr. Adams, as Secretary of State, writing to President Monroe, on August 24, 1816, regarding the same subject, said:

I am satisfied that the cause of the South Americans, so far as it consists in the assertion of independence against Spain, is just. But the justice of a cause, however it may enlist individual feelings in its favor, is not sufficient to justify third parties in siding with it. The fact and the right combined can alone authorize a neutral to acknowledge a new and disputed sovereignty.

When a sovereign state, from exhaustion, or any other cause, has virtually and substantially abandoned the struggle for supremacy, it has no right to complain if a foreign state treat the independence of its former subjects as *de facto* established. When, on the other hand, the contest is not absolutely or permanently decided, a recognition of the inchoate independence of the insurgents by a foreign state, is a hostile act towards the sovereign state, which the latter is entitled to resent as a breach of neutrality and friendship. It is to the facts of the case that foreign nations must look. The question with them ought to be, Is there a bona fide contest going on? If it has virtually ceased, the recognition of the insurgents is then at their discretion. (Boyd's Wheaton, section 27.)

In speaking of the cases where the recognition of the independence of a new government is proper, Prof. Woolsey, International Law, page 41, sixth edition, remarks:

It is almost needless to say that this rule can not have its application as long as there is evident doubt whether a government is a fact.

A revolutionary government is not to be recognized until it is established by the great body of the population of the state it claims to govern. (Mr. Seward to Mr. Culver, November 19, 1862, 1 Wharton, page 542.)

Says Mr. Fish to Mr. Sickles, with reference to diplomatic matters in Spain, 1 Wharton, page 545:

We have always accepted the general acquiescence of the people in a political change of government as a conclusive evidence of the will of the nation.

As an instance showing the care exercised by this Government in recognizing the sovereignty of a particular state, attention is called to the case of Tripoli, 1 Wharton's International Law, page 546.

President Hayes in his first annual message, 1877, said:

It has been the custom of the United States, when such revolutionary changes of government have heretofore occurred in Mexico, to recognize and enter into official relations with the *de facto* government as soon as it shall appear to have the approval of the Mexican people.

Mr. Seward wrote to Mr. Foster, minister to Mexico, in 1877, and among other things stated this to be the policy of the United States:

In the present case (United States) it waits before recognizing Gen. Diaz as the President of Mexico, until it shall be assured that his election is approved by the Mexican people. (1 Wharton, page 548.)

Mr. Evarts in his note to Mr. Baker, June 14, 1879, in the Venezuela case, said:

In other words, while the United States regard their international compacts and obligations as entered into with nations rather than with political governments, it behooves them to be watchful lest their course toward a government should affect the relations to the nation. Hence, it has been the customary policy of the United States to be satisfied on this point, and doing so is in no wise an implication of doubt as to the legitimacy of the internal change which may occur in another state. (1 Wharton, pages 548, 549.)

If the Calderon Government is supported by the character and intelligence of Peru, and is really endeavoring to restore constitutional government with a view both to order within and negotiation with Chile for peace, you may recognize it as the existing Provisional Government, and render what aid you can by advice and good offices to that end.—*Mr. Blaine to Mr. Christiancy*, May 9, 1881. (1 Whar., page 550.)

Mr. Frelinghuysen, in a letter to Mr. Logan, March 17, 1884, said:

The Department of State will not recognize a revolutionary government claiming to represent the people in a South American state until it is established by a free expression of the will of that people.

President Arthur, in his third annual message, 1883, said, in speaking of South American difficulties:

Meanwhile the provisional government of Gen. Iglesias has applied for recognition to the principal powers of America and Europe. When the will of the Peruvian people shall be manifested, I shall not hesitate to recognize the government approved by them. (1 Whar., p. 550.)

In the late domestic disturbance in Chile, our Government issued its instructions to Minister Egan on September 4, to the effect that if a government was installed and accepted by the people of Chile he was authorized to recognize it.

Even Mr. Foster concedes the rule to be as I have stated it, for he says in his telegram to Mr. Stevens (House Report 243, page 451):

The rule of this Government has uniformly been to recognize and enter into relations with any actual government in full possession of effective power with the assent of the people. You will continue to recognize the new government under such conditions.

Mr. Stevens did not pay much attention to these authorities when he recognized the Dole government. But his conduct furnishes no precedent adequate to justify the United States in

concluding the proposed treaty of annexation or any similar compact.

While the precedents just cited pertain to the course proper to be adopted when the recognition of a new government is involved, the law as laid down is applicable here; because if it be true that before we may rightfully take official notice of a revolutionary organization we must be thus careful and thus positive as to the facts and must know that we are acting in accordance with the wishes of the people, how much greater should be our solicitude and how cautiously should we act before we make a step which must result in the obliteration of a sovereignty and the abandonment of national independence? The commonest honesty compels us to subordinate our ambitions to the desires of the nation we are asked to absorb.

Mr. Stevens is authority for the statement that the people of the Hawaiian Islands can not govern themselves. In a lecture delivered by him in Massachusetts and reported in the *Boston Journal* of November 23, 1893, he said:

But I hear a whisper in the air: "Let the islands vote on the question." This demand comes from three distinct sources. It was first made by the British minister at Honolulu, a Tory in his political views, many years a resident in Hawaii, a persistent antagonist of American interests, and by personal bonds and family relations strongly attached to the fallen Hawaiian monarchy. You remember how many votes have been taken in India and Hongkong and Cyprus. [Laughter.] Immediately after its organization in January last he urged this plan on the Provisional Government. This scheme was subsequently brought forward by the Queen's attorney. The lottery and opium rings, of which the fallen Queen's lawyer is believed to be the agent, favor the plan. While the ultra Tory English and the Canadian Pacific Railroad have purposes in view other than those of the fallen Queen and the lottery and opium rings, they are agreed as to the method of defeating annexation.

The ex-Queen's attorney has often been the paid agent of Claus Spreckels, and the latter makes part of the alliance to kill annexation by the plebiscitum. This is an alliance powerful as it is disreputable. It is not admissible by honest Americans for the following reasons: It would surely result in the raising of an enormous corruption fund by the allied parties. The Canadian Pacific Railroad is a great power in Canadian politics, and in the past has used vast bribes to accomplish its designs, and wants to have its foot and hand firmly in Hawaii.

The respectable citizens of the islands do not believe in wholesale bribery and the importation of voters, and should they even take into consideration such a method of accomplishing their wishes, they could not fail to see that Spreckels with his millions, the opium and lottery rings, and the ultra Britishers in Canada and England, could throw into the contest a bribery fund which they could not and would not try to equal. It is therefore obvious that the plebiscitum scheme has been devised as the most sure to result in striking down American civilization and American interest in the islands, flooding them with an Asiatic population and ruthlessly sacrificing what the American Board, the American missionaries, and the American teachers have accomplished in seventy years.

No one disputes that the masses of the Hawaiian people are opposed to annexation. Mr. Blount's statement upon this subject does not seem to be challenged. He says (Report, page 59):

The testimony of leading annexationists is that if the question of annexation was submitted to a popular vote, excluding all persons who could not read and write except foreigners (under the Australian ballot system, which is the law of the land), that annexation would be defeated.

From a careful inquiry I am satisfied that it would be defeated by a vote of at least two to one. If the votes of persons claiming allegiance to foreign countries were excluded it would be defeated by more than five to one.

The undoubted sentiment of the people is for the Queen, against the Provisional Government and against annexation. A majority of the whites, especially Americans, are for annexation.

It will not do, as I have heretofore observed, to declare that because the intelligence and respectability of Hawaii favors an-

nexation that therefore the scheme must succeed regardless of popular desire. It is no part of the business of this country to conquer nations, even for their betterment. Almost at the outset of our Declaration of Independence we assert that governments derive "their just powers from the consent of the governed."

Shall we, who base our right to the sovereignty upon the will of our citizens, be heard to say that it is politic or right or American to step out of our boundaries and coerce to submission those who, however poor, however lowly, however inferior, however ignorant, are, after all, men and women fashioned in the image and likeness of their maker, and entitled under our laws, under our Constitution, under our Declaration of Independence, and the virtue of our oft-reiterated professions, to receive at our hands that equal treatment which we demanded for ourselves, and which demanding we won and have maintained?

It is against the interests of the United States to acquire the Hawaiian Islands. They are too far removed. Are difficult and expensive to defend. The population is undesirable and likely to so remain for many years.

Says Mr. Alexander, an ardent annexationist (Executive Document 47, page 199):

Considering the character of our mixed population, the intensity of race jealousy, the concentration of one-fourth of the population comprising its most turbulent elements in the capital city, it seems vain to expect a suitable self-governing, independent state under such conditions. It is time one of the great powers should intervene, and it is needless to ask which power has its hands unfettered by conventions and already holds paramount interests and responsibilities in this archipelago.

Here is an admission that those whom we are requested to make our fellow citizens are incapable of self control. Here is a declaration from a gentleman of attainments, and I assume, of integrity, that Hawaii should be annexed because of the degraded character of the majority of the inhabitants.

Mr. Jefferson wrote to President Madison April 27, 1809:

It will be objected to our receiving Cuba that no limit can then be drawn to our future acquisitions. Cuba can be defended by us without a navy, and this develops the principle which ought to limit our views. Nothing should ever be accepted which would require a navy to defend it.

Mr. Jefferson was not opposed to the annexation of Cuba, but he did not believe it policy to acquire any territory to defend which our naval forces would be requisite.

Mr. Frelinghuysen in a note to Mr. Langston cited in 1 Wharton, page 579, declares that it is contrary to the policy of our Government to attempt such territorial aggrandizement as will require a naval force.

Mr. Bayard made a similar announcement which may be found in the same volume, page 580.

Said Mr. Cleveland in his message of 1885:

Maintaining, as I do, the tenets of a line of precedents from Washington's day, which proscribe entangling alliances with foreign states, I do not favor a policy of acquisition of new and distant territory, or the incorporation of remote interests with our own.

See also the history of the attempt to acquire the Danish West Indies, and the rejection of the treaty by the Senate. (1 Wharton, page 416.) See as to San Domingo matter, 1 Wharton, page 412, *et seq.*

Mr. President, I have stated these objections. They appeal

to me with more or less force, each of them with force enough to determine my vote. I am not prepared at this moment to lay down absolute doctrine, from which I shall never deviate in any contingency, against the acquisition of foreign lands, provided the people desire such annexation; but I see at this time no reason to qualify or doubt the correctness of the principle maintained from Jefferson to Cleveland.

There is, however, another objection which is possibly even stronger than those which I have just discussed. The able Senator from Ohio [Mr. SHERMAN] whose deliberate judgment upon any public question is entitled to consideration, and other distinguished Senators, have said, either upon the floor or elsewhere, that the Hawaiian group should be annexed to the State of California. Mr. President, it is not saying any more than the truth when I declare that there is no one present more deeply concerned for the progress and welfare of that Commonwealth than I. I was born there, reared and educated there, whatever I possess is there, whatever of distinction I have acquired has been from the favor of her people, and if I thought that it would be to her advantage, and correspondingly to the advantage of the Union, that action favoring annexation should be taken here, I should not hesitate. Not for any party reason, or to uphold or maintain any Administration, should I forfeit that which I considered to be for the glory and happiness of my country.

But a short time since we were considering the Chinese question is this Chamber. A law was enacted of the severest character, it was said, to exclude the Mongolian from our shores. Day by day our statesmen are endeavoring to solve the complicated issues which have arisen from the conflict of races, precipitated upon them without any fault of the present generation.

We have statutes designed to prohibit the coming of paupers and persons unfitted to become citizens of the United States, or whose presence here would be opposed to the general welfare, or who might become public charges. Under these conditions what should I think of myself if standing here I advocated bringing within my State or within the United States a people who are notoriously and by confession of all unfitted for self-government, a population of some 90,000, containing not more than 5 per cent competent for the elective franchise?

Let us be consistent. But lately we declared the presence of the Mongolian inimical to the Republic, and now we propose to annex an island flooded with the lowest class of Chinese and Japanese. I know that it will be said that these Chinamen can be excluded and that a stipulation to that effect must be incorporated in the treaty if any is made. We have had enough trouble dealing with the Chinamen and should not seek further complications. The Chinese and Japanese form but a portion of the undesirable residents of Hawaii. Mr. Blount has given us a statement of the population which seems to be accurate. He says (Report, pages 60, 61):

The population of the Hawaiian Islands can best be studied by one unfamiliar with the native tongue from its several census reports. A census is taken every six years. The last report is for the year 1890. From this it appears that the whole population numbers 89,930. This number includes natives, or, to use another designation, Kanakas, half-castes (persons containing an admixture of other than native blood in any proportion with it),

Hawaiian-born foreigners of all races or nationalities other than natives, Americans, British, Germans, French, Portuguese, Norwegians, Chinese, Polynesians, and other nationalities.

(In all the official documents of the Hawaiian Islands, whether in relation to population, ownership of property, taxation, or any other question, the designation "American," "Briton," "German," or other foreign nationality, does not discriminate between the naturalized citizens of the Hawaiian Islands and those owing allegiance to foreign countries.)

Americans number 1,928; natives and half-castes, 40,612; Chinese, 15,301; Japanese, 12,260; Portuguese, 3,602; British, 1,314; Germans, 1,034; French, 70; Norwegians, 227; Polynesians, 588; and other foreigners, 419.

It is well at this point to say that of the 7,495 Hawaiian-born foreigners 4,117 are Portuguese, 1,701 Chinese and Japanese, 1,617 other white foreigners, and 60 of other nationalities.

There are 58,714 males. Of these 18,364 are pure natives and 3,085 are half-castes, making together 21,449. Fourteen thousand five hundred and twenty-two are Chinese. The Japanese number 10,079. The Portuguese contribute 4,770. These four nationalities furnish 50,830 of the male population.

	Males.
The Americans	1,298
The British	982
The Germans	729
The French	46
The Norwegians	135

These five nationalities combined furnish 3,170 of the total male population.

The first four nationalities when compared with the last five in male population are nearly sixteenfold the largest in number.

The Americans are to those of the four aforementioned group of nationalities as 1 to 39—nearly as 1 to 40.

Portuguese have been brought here from time to time from the Madeira and Azore Islands by the Hawaiian Government as laborers on plantations, just as has been done in relation to Chinese, Japanese, Polynesians, etc. They are the most ignorant of all imported laborers, and reported to be very thievish. They are not pure Europeans, but a commingling of many races, especially the negro. They intermarry with the natives and belong to the laboring classes. Very few of them can read and write. Their children are being taught in the public schools, as all races are. It is wrong to class them as Europeans.

Will any thoughtful man risk the assertion that it is desirable to bring about the amalgamation of such a population with our own? Without considering the degraded foreign element, the native population furnishes an irresistible argument against annexation. I doubt whether there are many people in the world more the subject of pity than the unfortunate natives who are gradually yielding to the inroads of the most loathsome diseases. We can not afford to deport the natives. We have no right to sweep them from the face of the earth. I think that I have already shown that we can not decently act without consulting their wishes. If the islands are annexed to California, candidates for office may experience some difficulty in extending their visits to their constituents so as to take in the newly acquired possessions 2,000 miles removed from the present State. The returns from the enlightened Hawaiian precincts would be awaited with considerable interest. Should annexation be brought about we must be just to the Hawaiian natives.

These islanders are the proprietors of the soil by designation of a power beyond ours. They were placed where they are by Omnipotence long before Mr. Stevens or his predecessors in good-ness commenced to exert their saving influence. We recognize the right of a people not only to live but to rule. We can not afford to destroy the poorest Hawaiian native. If the islands are to be ours we must take those "to the manor born" to our political bosoms and throw around them the equal protection of those laws which are framed for the benefit of all who move under the protection of our flag.

Therefore, I repeat that the Provisional Government has not the stability to warrant the making of a treaty; that it was not organized for permanency, but for a specific object, to wit, for the purpose of giving away the country it professed to rule. And while we are now holding diplomatic relations with Hawaii as an independent state, notwithstanding her imperfect organization, we may well doubt the propriety of dealing with her new government as to a treaty of annexation. The Provisional Government does not represent the people. We can not annex territory under mere color of right. Nations organized for conquest may not regard the method employed to extend their confines, but we must be not only technically but actually right. Those whom we desire to absorb must consent and such consent must be unmistakably proven as a condition-precident to our action. The islands are too remote, the population undesirable. We have now an ample supply of incompetent citizens. Our stock is complete.

If we concede that the annexation of the Hawaiian Islands would result in adding to the prosperity of this country and redound to our lasting pecuniary advantage, I would not favor the project as long as it is questionable whether such annexation can be honorably brought about under existing conditions. Not only is deliberation necessary in the preparation and approval of a treaty involving such grave subjects, but it is essential, as I have hinted, that there should be no question as to the right of those who suggest the adoption of the compact to enter into such a solemn obligation. Granting that Mr. Stevens had not interfered improperly and conceding everything which he individually did to be regular and admitting all that is claimed by his friends, the fact still remains that the Provisional Government is purely experimental, and that if it ever received any authority, that authority was for a limited purpose and emanated from a limited circle.

It is not claimed, as I have said, that this institution was organized for permanent purposes. Herein it lacked an essential of government. It did not rest upon popular suffrage. And herein it lacked representative authority. It was brought about admittedly by the action of a few courageous and determined men who assert, and perhaps with reason, that their morality and ability have placed them upon a plane above the commonality. Far from representing the masses of the people, these gentlemen have been the advocates and defenders of a constitution which curtailed the popular right. Hence, plainly the Provisional Government did not have the stability and solidity which alone can empower it to perform the supreme functions of abrogating nationality and delivering up the privileges of statehood. This treaty should not have been hastily accepted by Mr. Harrison.

Nothing had occurred on the part of our citizens to warrant such existing celerity. Modesty, good taste, as well as diplomatic usage, dictated the keeping of the matter in abeyance until the advent of a President who had already been elected to hold for a full term. Instantaneous action was sought and the future was relied upon to establish the title of those who proposed the treaty. It was believed by Mr. Stevens and his associates that if the last Administration could be brought to engage in a treaty of annexation with the Dole establishment,

that forthwith the people of Hawaii, who had not been consulted, would yield readily to the superior force of the United States. It was well reasoned that if we took the islands under that treaty we would regard the native population as rebellious if they subsequently objected to the annexation.

Permit me again to assert what I have already intimated: that I am not here to compare the respective merits of the small American and foreign colony, which supports Mr. Dole, with the native population. I have no doubt that the Provisional Government represents the most advanced intellectual sentiment of the islands, but I unhesitatingly aver that this does not constitute any justification for our departure from settled principles of honesty in dealing with our neighbors; nor does it warrant us as a civilized and Christian nation in a policy of invasion and conquest; and if we abet such designs, to say nothing of our participation therein, we will deserve and receive the contempt of mankind.

THE FOREIGN POLICY OF PRESIDENT CLEVELAND SUFFERS NOTHING WHEN COMPARED WITH THAT OF HIS PREDECESSOR.

There is another matter to which I deem it proper to briefly allude.

My friend, the distinguished Senator from Illinois [Mr. CULLOM], further said:

Heretofore the diplomatic history of the United States, with trivial exceptions, has been a bright and glorious record, and its precedents have become standards of international procedure. Until now liberty, justice, and honor have been the legends inscribed upon each diplomatic act bearing the approval of American Presidents and Secretaries of State. No citizen of this country has ever before been called to hide his head when challenged upon the theater of the world, and forced to acknowledge the disgrace and shame of the Republic.

Mr. President, we will not remain silent listening to such assertions made against those who are acting in good faith for the perpetuation of principles in which we believe and to the enforcement of which we have pledged our best efforts. We can well afford to compare the foreign policy of this Administration with that of its immediate predecessor, knowing that we will not thereby suffer. I intend to speak from the record, and in describing the incident to which it is my design to direct consideration I will utter nothing that can not be easily proven to be precisely correct.

It has been argued in this Chamber, and reiterated with great emphasis elsewhere, that the present Administration is not in sympathy with republicanism, and that it is seeking to maintain monarchical institutions abroad, and it is sought to justify, or at least mitigate the peculiar behavior of the late minister to the Hawaiian Islands by the claim that his conduct if questionable, was, after all, in the interest of free government.

The hollow nature of this pretense can be, and I trust has been, exposed otherwise than by the argument which I am about to make; but I desire to show that not only the late Executive and the then Department of State, but likewise many who elsewhere are loudest in their so called patriotic demands, did but lately engage in a most unwarranted attack upon the people struggling for free constitutional rights.

In the year 1891, the people of Chile were torn asunder by revolutionary conflict. The President of the Republic had as-

sumed powers in defiance of the constitution, in consonance with which it was his duty to administer his trust.

The highest court of the Republic had decided against him, and the great majority of the Chilean Congress had also pronounced adversely to his pretensions. Instead of yielding obedience to the laws of the land, he announced himself a dictator. He promulgated a decree which contained, among other things, the following:

SANTIAGO, January 7, 1891.

I decree that from this date I assume all public power necessary for administering and governing the State and maintaining order in the interior. Therefore, from this moment, every law that would forbid the exercise of the powers required for preserving order and tranquillity in the interior and security in the exterior of the State, is suspended.

By his unauthenticated fiat he declared that all laws which, according to his opinion, were inimical to the state, should be then and there suspended. The supreme court and the court of appeals decided against him and determined in favor of the Congressionalists, and he at once issued this edict:

That the regular and ordinary functions of the supreme court and the court of appeals, in the abnormal and extraordinary situation, created by the revolution and the anarchy of those who have commenced and sustain it, will prevent the task of pacification demanded by the highest national interests, and I will produce conflicts that will augment the misfortunes that afflict the republic. I have resolved, and I decree, until further orders, the functions of the supreme court and the court of appeals are suspended.

Thus did this man assume absolute power. Thus did he in defiance of republican principles declare, "I am the State." The members of congress were compelled to flee to escape his cruelty and persecution. They took refuge in the navy, for the navy was true to the law. War was waged, one side represented by Balmaceda, who acted against the constitution; the other was composed of patriots seeking to maintain the constitution.

Concurrently with the promulgation of these decrees, more despotic than any issued within the last thirty years by any semicivilized government, this despot sacrificed the lives of numbers of his fellow-citizens who had dared to verbally protest against his outrageous defiance of that constitution which was adopted as the result of the triumph of brave men over the imperial armies of Spain. To use the language of Judge Hanford of the court of appeals of the ninth circuit (56 Fed. Rep., 505 *et seq.*):

The Congressional party, instead of being an organization of rebels against the Government of Chile, was, in fact, composed of and controlled by the legislative branch of the national government and was supported by a considerable part of its military and naval forces. The object of the Congressional party was not revolution but the preservation of the Government by deposing Balmaceda for maladministration of his office. Balmaceda was not the government. He was merely the highest officer and head of the government. The struggle, therefore, was not between the government and a faction, but between the chief departments of the government. While it continued the condition of affairs was similar to what might have been brought about in the United States if a sufficient number of Senators had voted for the impeachment of President Andrew Johnson, and the vote had been followed by an attempt on his part to forcibly resist removal from office.

Under these conditions the last Administration not only refused to recognize the justice of the cause of the Congressional party, as those who were supporting the Chilean constitution were designated, but it even refused to recognize them at all, Mr. Harrison declined to permit the agents of the Congressional

party to enter the State Department for the purpose of presenting their claims, and the President rejected their solicitation for personal audience. Every obstruction possible was thrown in their pathway, and when Jorge Montt, the then-admiral of the Chilean fleet and the present President of that Republic, sent to the city of San Diego an ordinary passenger and freight steamer for the purpose of getting supplies, our Government denied her clearance papers, and when she left the harbor of San Diego and afterwards took on board in unbroken packages \$80,000 worth of arms, purchased from an American firm and paid for at the market rates, one of our ships of war the *Charleston*, was dispatched to Chile, and the *Itata* was brought back with her cargo to San Diego, and a Chilean congressman, together with two American citizens, who had engaged in the purchase of the arms, were arrested and charged with a violation of the neutrality laws of the United States; and they were charged, among other things, with having fitted out and armed the *Itata* for the purpose and with the intent that that vessel should be employed in the service of a foreign people, to cruise and commit hostilities against the Republic of Chile. There was, in fact, no legal ground for this seizure, as the United States district court and the court of appeals have decided.

This conduct upon the part of our Government in thus practically taking sides against a people seeking a constitutional government was in itself bad enough, but my criticism is not leveled so much at this behavior, or misbehavior, of the last Administration, but the subsequent transactions present a story of outrage unparalleled in our history. In the latter part of August and the first part of September, 1891, the Congressional forces met those of Balmaceda and in two pitched battles utterly routed the dictator's army and marched in triumph into Valparaíso.

The issue was thus settled, and under all the authorities the result of war definitely ascertained, foreign governments were bound to accept the same.

On September 4, 1891, when Balmaceda was a fugitive from the wrath of his countrymen, when he had scarcely a friend on earth outside of those in charge of the Government of this Republic, when the associates of those whom he had murdered and the citizens of that Republic which he had shamefully betrayed, were seeking him with terrible earnestness, our Government sent a dispatch to our resident minister to the effect that if a government was installed and accepted by the people of Chile, the same should be recognized; and on the 7th day of September that officer, Mr. Egan, notified the State Department that he was in cordial communication with the Provisional Government, established September 4, of which Jorge Montt was chief.

One would have supposed that the opening of diplomatic relations with the new authority and the utter annihilation of the Balmacedan régime would necessarily have resulted in the dismissal of proceedings against members of the new government and against its representatives, as those prosecutions depended upon the assertion that the vessel complained of and the cargo sought to be confiscated were to be used and that the defendants indicted were waging war against Chile, with which the United States was at peace, and it being then the fact that there was no Chile save that represented by these very men who were charged in the proceedings thus instituted with having at-

tempted to destroy a nation which recognized them as her loyal and devoted citizens.

Under these conditions this Government was bound, not only in law, but in fairness, and in that spirit of friendship which she professed to entertain toward Chile, to at once abandon its hostile attitude, regretting that the same were ever inaugurated. But the Administration, so anxious to establish a new condition of things in the Hawaiian Islands, so solicitous for the extension of republican influences, so ready to acknowledge a provisional government which had given no proof of its ability to endure, not only declined to dismiss these cases, but on October 20, 1891, more than a month after the recognition of the new government and after Balmaceda had acted as his own executioner, placed Mr. Ricardo Trumbull, and those who had been associated with him in obtaining a cargo for the *Itata*, on trial and sought to convict him of a high misdemeanor, under the provisions of sections 5283, 5235, and 5286 of the Revised Statutes of the United States.

Here was our Government, pretending to be the friend of republicanism, striving to make a criminal out of a man who had imperiled himself in a service which was intrinsically honorable, and which, because of the issue of war, was legally determined to be just, and which our Government had recognized as being patriotic and legitimate. But the United States court, upon the testimony of the prosecution, adjudicated that no case was made out, and the jury rendered a verdict of "not guilty." But the end was not yet. Still maintaining its unrepublican policy, the same patriots who joined with Mr. Stevens in the overthrow of a friendly government, pressed the admiralty cases against the Chilean vessel and her cargo employed special counsel—very excellent and able gentlemen, who were compensated through the Department of Justice—to press with every energy the demand that the forfeiture should be decreed.

But the district court again decided against the Government, and from this decision, as late as March, an appeal was taken to the circuit court of appeals for the ninth circuit, the Attorney General having failed to obtain a certiorari bringing the cause to the Supreme Court of the United States. Meantime the *Itata* had been released upon bond and had gone back to Chile and was engaged in mercantile pursuits: and had a decree been rendered in favor of the United States and had recourse upon the bondsmen failed there would have been no method of enforcing the judgment save by seizure of this vessel carrying the Chilean flag in Chilean waters; and such seizure would have been an execution of the judgment pronounced against a vessel, because it was engaged in a service patriotic, lawful, and approved by the affirmative recognition of all our judicial and executive authorities.

The appeal was urged, and in spite of the efforts of those who represented Chile, the late Administration pressed it to final issue, and on the 8th of May, 1893, the circuit court of appeals, composed of three judges—all appointed by Mr. Harrison—confirmed the judgment of the lower court, and finally settled the case against the United States.

I refer to these matters as demonstrating that the Administration which supported and assisted Mr. Stevens in his unjusti-

fiable work was not in quest of new fields for liberty, but was anxious to gain that applause given by the unthinking to those who subvert and destroy.

Nothing can better illustrate the unrepblican disposition of the late Administration than the facts which I have cited from judicial records regarding the Chilean controversy, and nothing can better disclose the misguided disposition which prevailed in the councils of those whom the American people drove from authority.

The fitting outcome of this entire transaction has been the decision just rendered by the joint commission, which has had under consideration the contested claims existing between this Government and Chile, to the effect that our seizure of the *Itata* was without even probable cause. It is difficult to conceive how any other conclusion could have been reached, since our courts from the Santissima Trinidad (7 Wheaton) to this day, and our diplomats from Secretary Pickering to Secretary Evarts uniformly avowed that there is no law or regulation forbidding any person or government from purchasing arms from citizens of the United States and shipping them at the risk of the purchaser. Such also was the doctrine of Mr. Hamilton, which fully accorded with the view expressed by Judge Story in the case first cited.

It is proper for me to say that the late Attorney-General was so solicitous for the confiscation of a vessel and cargo of a power with which we were then at peace and with whose citizens and Government we desired to preserve friendly relations, that he actually contended before the Supreme Court of the United States upon an application for a writ of certiorari, which was denied, and afterwards argued in a brief, which he filed in the circuit court of appeals, that a judgment should be rendered in favor of the United States upon the ground that the representative of the present Chilean Government and his associates were pirates, and were therefore entitled to no consideration whatever.

It is unnecessary to add that he remained lonesome in this advocacy. If any person considers this episode a triumph of diplomacy, I am content to leave him to his fate.

MR. CLEVELAND HAS NEVER SOUGHT TO INTERFERE WITH A FOREIGN GOVERNMENT.

It has been asserted that the Administration assumed the right to interfere with a foreign government. Exactly the contrary is the truth. It is against interference with a foreign government that Mr. Cleveland has protested, and if he is pressing any doctrine it is that which Senators profess to be so fond of, that this Government must in no case invade the territory of another. The President takes the position that we should undo what we have wrongfully done; that having invaded a foreign territory, and having changed the government of that territory, we should place matters as they were before the invasion occurred, and this for the purpose of more clearly and emphatically establishing a doctrine which has not been disputed in this debate, that in no case should we destroy the government of another nation.

The efforts of Mr. Cleveland to restore the Queen were in the nature of a protest against previous illegal acts of a representative of our Government. He sought to undo as far as possible the improper transactions of a diplomatic agent. He repudiated

and condemned that agent's conduct. He adopted the most positive method in carrying out this laudable purpose. More he could not do, and he accordingly recommended the matter to Congress. President Harrison recognized the new order. So did President Cleveland. It is said, as I have remarked, that under certain conditions the recognition of belligerent rights can not be withdrawn. Such, at least, is the rule stated by Mr. Hall (International Law, third edition, page 37). Whether this rule applies to the acknowledgment of independence it is unnecessary to discuss; but assuming such to be the case, if the recognition is procured by a conspiracy to which the beneficiaries are parties, I imagine that there is no doubt of the power to revoke, saving harmless, of course, third parties who have acted bona fide.

If the Dole administration is an institution of this Government, created by our late minister; if it was established and supported by our action; if we were actually in control of the premises, then we had a right to withdraw that support and undo the mischief done.

It should be remembered that the Provisional Government was not organized for permanency, but was explicitly formed for the sole purpose of procuring the United States to extend its jurisdiction over the islands. When we speak of the *de facto* government we allude to an institution having present existence and exercising certain functions. This government did not pretend to be formed for the purpose for which a nation organizes itself. But Mr. Dole and his associates were empowered by themselves to act as agents in transferring to the United States the soil and independence of the Hawaiian Islands. The testimony of Mr. Soper, another annexationist, establishes that the Queen believed that she was surrendering to the United States, and the provisional people concede that they submitted to the United States the question whether their government should or should not exist, *i. e.*, whether this nation would consent to absorb it.

Under all these circumstances the Queen was justified in supposing that the Executive would act in the capacity of mediator, and Mr. Cleveland was certainly authorized to extend some supervision and to make some inquiry concerning the situation which involved an attempt to extend the dominion of the United States over the islands. No one in all our history has more thoroughly emphasized than Mr. Cleveland the duty of this Republic to attend to its own affairs and to avoid meddling in foreign politics.

In conclusion, Mr. President, permit me to say that I am not prepared to defend every officer of this or any other Administration, merely because his politics and mine may harmonize, but I insist that justice shall be done.

Mr. Cleveland has done or attempted to do substantially justice, and he has done that which honor dictated. His protest against the continuance of the present Government of Hawaii was made that a record might be written showing his detestation as our chosen Executive, of a cunning and fraudulent scheme by which a change of system eventuated which otherwise would never have been brought about. He made that protest, and

then committed the whole subject to the House of Representatives and Senate. It is before Congress now.

The resolution submitted to the Senate embodies an expression to the effect that we should acknowledge conditions as they are. Months have gone by. It is impossible to prognosticate the future, but the status is such and has been so long continued, that it is undoubtedly in our interests in accord with sound policy and proper in every regard to recognize the present Government, to declare that no foreign power shall interfere, and to place here upon record the solemn assertion that we will not conclude a treaty of annexation. This recognition becomes inevitable when we consider the continued reception of diplomatic agents (Hall's International Law, page 94; Field's Pro-International Code, section 118), as well as the long continued dominancy of the Dole supremacy.

It is hardly worth while to determine what may be done under conditions differing from those presented. It is not necessary for immediate purposes to enter into any such debate. Suffice it to say that, dealing with this question as it now stands, we are in favor of maintaining the *status quo* to the extent that our mere declaration will do so, not because we approve of wrongful acts, but because, under prevailing exigencies not of the creation of this Administration, it is unwise to adopt any other course. We affirm and approve of the action of the President of the United States in withdrawing the treaty, not necessarily for all the reasons which I have stated—though all are good reasons to me—but because of the varied surroundings upon which I have sought to comment.

I shall not resume my seat without responding for an instant to something said by the able and eloquent Senator from Maine [Mr. FRYE] who a few days ago, in speaking with mingled sarcasm and disappointment of the unanimity displayed by Democratic Senators in supporting the election repeal bill, alluded to our failure to act together upon the financial issue (forgetting that residents of fragile structures should be conservative), and boldly prophesied that we would be unable to concentrate our forces upon the Hawaiian or other issues. "Sufficient for the day is the evil thereof." No doubt my friend and his associates are solicitous. Well may they be solicitous. I question whether any one upon the other side will regret a division in our ranks, and I venture to remark that our adversaries fear our unbroken front.

I dislike to say that which is unpleasant. I would not harrow the tender sensibilities of those who claim to be so anxious for our comfort, but I can not in candor do otherwise than to express the opinion that my Republican friends will have to meet a united Democracy. The Democratic party is composed of men of thought and intelligence; men who act upon principle. They will often differ as to detail, but whenever the individual can not otherwise bring about concerted action, he will make any concession short of sacrificing his conscientious conviction. The financial question is one upon which party lines can not be drawn. Some Democrats may differ from the President as to his views upon silver. I have done so and have not changed my opinion. Some may occasionally and at long intervals not agree with him as to the advisability of a nomination, just as other

Senators have disagreed with other Presidents; but do not flatter yourselves, my Republican friends, that any process of disintegration is at work here, or that I and my colleagues contemplate suicide.

We are and will be ready for you. You may have observed that we made no loss upon the election repeal matter. Our majority was quite comfortable. We are prepared to stand by a Democratic Administration. We may criticise a little, but do not be misled by this. for a small-sized family row does not mean divorce *a vinculo*. We have followed Mr. Cleveland through three campaigns. We are not prepared to recant or to retrograde. He called our attention to an almost lost party policy, not merely that the organization to which he and we belong should be successful, but that the country might have the benefit of wise laws and a statesmanlike administration thereof, and while he was temporarily set aside, nevertheless the principles which he announced soon became the battle cry of our triumphant legions. The President may not be perfect; to assert that he was so constituted would be to deny his humanity. We do not claim as much for him in that respect as our modest opponents daily claim for themselves. Mr. Cleveland has for many years, notwithstanding the doubts of individuals and the slanders of political adversaries, had the respect and admiration of the best minds of his country to a greater extent than any other man.

Upon the pending resolution, Mr. President, while I doubt not that Senators upon this side of the Chamber will differ as to mere phraseology, there is not one of us, I imagine, who doubts that the two propositions which I have attempted to defend should be decided affirmatively and I am led to hope even our friends upon the other side will for once join in our good work.

Mr. TELLER. I wish to cite to the Senator from California, in whose speech I have been much interested, a point which I think he has forgotten. I am more concerned about the law of this case and what is to be done, as I said the other day, than I am as to what has been done.

The Senator from California lays down a proposition of law from which I wish to dissent. He will find a great abundance of authority in the text-books in support of the proposition which he lays down. There is no question, however, but that the doctrine that a change of government means a practical withdrawal of the minister accredited to that government has become obsolete. The modern practice is that the minister continues under the new government.

I call the attention of the Senator to the fact that in 1848, when the State Department was presided over by Mr. Buchanan, whom we all recognize as a very able diplomat and a very able man, a very sudden revolution occurred in France, and the American minister was the first minister to recognize the new republic. The ministers of the other governments followed, but, as Mr. Polk said in his next message, it was very fitting and very proper that our minister should have been the first.

Not only did the minister continue to exercise the duties of his office without any new appointment, but Mr. Buchanan, in words of the highest praise, spoke of his recognition of the French Republic.

The President of the United States, Mr. Polk, in his next an-

nual message—I shall not read it, though I have here before me both of his messages on the subject—spoke in terms of the highest approbation of the fact that our minister had promptly recognized the new republic, and then referred to the sympathy which we naturally feel for the French people.

So I want to say to the Senator that in modern times that doctrine is not in practice anywhere, and, as he must know, every representative of a foreign power at the Hawaiian Islands recognized the new government without waiting to hear from the home government. So the old idea has fallen into disrepute.

I wish to say one other word. There seems to be a little complaint that there was a sympathy going out from our representative when this old, effete, and farcical monarchy was to be destroyed, a sort of *opéra bouffe*, as somebody has called it, and properly so. I have not any doubt that there was, and I should be ashamed of an American minister who did not feel that way. That has always been the boast of this country. It can be found in the letter of one of our distinguished Secretaries of State, in which he said, speaking of one of the South American revolutions, that it was our openly expressed sympathy which prevented intervention and assisted those people in maintaining the contest with the mother country.

It has always been so. When Mexico was fighting Spain we did not conceal our sympathy anywhere. We made it apparent to the whole world that we were on their side: but when later Mexico was brought into trouble by European intervention, in every department of the Government, in every phase of American life, we proclaimed our sympathy with the existing affair. When the Mexican Government had been reduced in numbers to such an extent that the president fled to the frontier, preparatory to stepping across our line if it was necessary, accompanied, as I have been told by good authority, with only 32 men, and when, for his daily bread, he depended upon the contributions of the patriotic people of that country, we proclaimed everywhere that he was the legal executive of Mexico, and our great minister, Mr. Seward, said to France:

As we do now, we shall continue to recognize Gen. Juarez as the constitutional executive of Mexico.

There has been a time when we were not so afraid as we are to-day of expressing sympathy against monarchies and in favor of a change of government in the direction of greater freedom and greater liberty.

Mr. President, as an American citizen I hope the day is far distant when either as representatives, as officials, or as citizens, we shall be afraid of expressing our sympathy with advanced liberal ideas, and when we see a throne tottering, whether it be in the Sandwich Islands or in Europe, we shall express our gratitude and our joy, and, as far as is consistent with international law, our determination to render it such assistance as may make it effective.

Mr. WHITE of California. Mr. President, I understood the Senator to say that a minister has power to recognize a new government. That statement has the merit of novelty. It was never made before. I stated, and I affirm, that there is no dispute either in the books or in practice that when a minister recognizes a new government, as was done in France—I stated that

I was perfectly familiar with that case—he depends upon the ratification of his act by the home government. He has absolutely no authority to personally and effectively recognize any government. That function is vested by the Constitution wholly in the Executive.

When he is accredited to a king, or queen, or nation, and when that government is swept away, it is for the state which accredited the minister—not for the minister—to determine whether the home government shall be represented at the foreign court. He may possess personal traits which would not fit him for contact with the newly constituted authority, or perhaps his government might not wish to acknowledge the changed conditions, or might decline to sustain diplomatic relations. It is proper for the minister to guard the interests of his countrymen—it is his duty to do so. If he does recognize the new state, the approval of his government will justify his act. But the efficacy of his declaration is dependent wholly upon the ratification of his government. It is but little if anything more than a recommendation.

Secondly, the Senator's statement regarding his leaning towards republican institutions is all right; but when Mr. Stevens deliberately accepted a commission directed to the Queen of the Hawaiian Islands and agreed that he would go there and act honorably and faithfully as a minister of this Government introduced to her, the "great and good friend" of President Harrison and of this Government, it was his duty to do one of two things—either to turn back as soon as he found he could not deport himself in friendliness, or, acting there, to do so in good faith and in accordance with settled custom.

I sympathize with democratic institutions as sincerely as my friend, and I concede and proclaim the illogical character of monarchical power. For myself, I wish that the saving influence of the principles upon which we act, upon which we depend, and to which we are forever anchored might prevail and control other peoples; but, nevertheless, I believe that when we assume an obligation, whether it be expressed or implied, when we send a representative to a foreign government we disgrace ourselves if we decline to act bona fide, or fail to remain absolutely free of entanglements with enemies or revolutionists plotting against that government. If its character is not such as will permit us to consistently maintain relations, then we should withdraw from the distasteful contact.

We must not appear in history in a dual character and should not under any contingency excuse ourselves by the pretense that the Queen "is no good anyhow." If this Queen was good enough to induce the sending of Mr. Stevens to her court, if she was virtuous enough to warrant his presentation to her, and if she was meritorious enough to be received and saluted by our naval officers and our vessels of war just as any other foreign potentate, then she was great enough to be treated with candor and fairness.

I draw, as I said before, no distinction as to the duty of our minister in favor of a powerful state as contrasted with the case of a weaker nation. My preferences I will express elsewhere, but if I proceed as minister to a friendly power I will remain

faithful to my trust or decline employment for which I am not competent.

In the Mexican case we studiously refused to interfere. We accorded belligerent rights to both disputants. The letter which I read at length from Mr. Seward to Mr. Dayton, the Senator will see, covers the subject. There is no question that we sympathized with the South American republics—they were indeed republics springing from the popular will—but we waited for seven years before we recognized their independence, although they had won absolute freedom—although during nearly all that time they had been completely removed so far as the administration of their affairs were concerned from the mother country. But Mr. Stevens did not wait seven minutes or seven seconds, but he recognized the Provisional Government before the Queen had been dethroned, and without any proof of popular acquiescence and without the pretense of necessity.

I see nothing in the statement of my friend which in any way relieves the situation so far as Mr. Stevens and his aids and abettors are concerned.

Mr. TELLER. With the permission of the Senator who desires to take the floor, I will read the exact language of Mr. Buchanan.

Mr. WHITE of California. I have read it two or three times.

Mr. TELLER. And I think the Senator will see that I am perfectly correct. Our minister was Mr. Rush. Few men of greater accomplishments have ever represented this country abroad than Mr. Rush; everybody understands that. We had two great men dealing with the subject, one as minister and the other as Secretary of State. Mr. Buchanan, in writing to Mr. Rush, says:

It was right and proper that the envoy extraordinary and minister plenipotentiary from the United States should be the first to recognize, so far as his powers extended, the Provisional Government of the French Republic. Indeed, had the representative of any other nation preceded you in this good work, it would have been regretted by the President.

He was to be prompt. Then Mr. Buchanan goes on to say what I shall not read, for I do not wish to take up time, but he says substantially we recognize no difference between a *de facto* and *de jure* government. The Senator said that he did not; and so I shall not waste any time on that point.

What does President Polk say in his special message of April 3, 1848. I read it:

The prompt recognition of the new Government by the representative of the United States at the French court meets my full and unqualified approbation, and he has been authorized in a suitable manner to make known this fact to the constituted authorities of the French Republic. Called upon to act upon a sudden emergency, which could not have been anticipated by his instructions, he judged rightly of the feelings and sentiments of his Government and of his countrymen, when, in advance of the diplomatic representatives of other countries, he was the first to recognize, so far as it was in his power, the free government established by the French people.

Mr. President, for the first time in my life I have heard the declaration that the representative of this Government going to another owed some fealty to the Government to which he was accredited. I beg the Senator to understand that that is not good law. Mr. Stevens was under no obligation of fealty to the Queen of Hawaii. He was our representative, and not hers, and

he could do with promptness just what Mr. Rush did in the affair in France. There is no moral turpitude in a man who is accredited to a government, recognizing the destruction of that government, but the Senator himself admitted in his argument that a minister was under no obligation to assist in preserving it. I admit that he was not authorized by international law to assist in destroying it.

Mr. WHITE of California. That is what I say.

Mr. TELLER. But if he should assist in destroying it, I say the doctrine laid down by international writers everywhere, as I said the other day, has been that vice does not follow the government. It was so laid down by Mr. Buchanan; it has been so laid down by all our writers on international law, and by a number of our Secretaries of State.

We do not concern ourselves, said Mr. Buchanan in speaking of another case, about the legality of the organization. Does it exist, is all we inquire. That is all we have a right to inquire. If we get back to the proposition, which I think is the only one, it is this: The President of the United States said he thought it was his duty to destroy the Provisional Government and put the Queen back on the throne, and the Senator from California says he thinks it was the duty of the President to do so.

The President has devolved that duty upon Congress. The conclusion would have been, if the Senator had not disclaimed it, that the Senator believes that the duty is now devolved upon us, because he has not told us when that ceased to be our duty, if it was the duty of the President. The Senator will not claim that it is our duty now to destroy the existing Government; he will not declare that, because he knows that American sentiment will not tolerate it.

I have gone into no discussion of this case heretofore as to the action of the President, and I do not intend to do so now. I have no criticism to make on it, because criticism is not of any profit in this condition of things. I have not examined—I do not mean to say that I have not studied the question—but I mean I have not discussed the question of what Mr. Stevens did. Admit that everything he did was wrong; admit that the President was right, if you choose, on the one side, or admit on the other, that he was wrong, the question presented is, what we are to do? The matter has been remitted to us.

Shall we go on and carry out what the President attempted to accomplish and failed, or shall we say “here is a government existing, no matter how it came into existence, it has been in existence a year and we will recognize it,” leaving the question of annexation or nonannexation to be determined afterwards by those of us who believe in annexation, and are in favor of it, and those who do not believe in it and are against it.

The practical question is, are we going to keep those people in turmoil? Are we going to keep a minister there who occupies an attitude of semi-hostility to them, as I have no doubt the minister believes it is his duty to maintain, until we shall declare in some authoritative manner that we disagree with the views which the President entertained at the time he sent the minister out or sent him the instructions under which he is still acting?

Mr. WHITE of California. There are some people, Mr. Pres-

ident, who think that the king can do no wrong; there are some Senators who believe that the President can do no right.

Mr. TELLER. I do not.

Mr. WHITE of California. Mr. President, my friend from Colorado states a proposition of law which is very nearly right. If he would make it just right, we should not have any dispute about this matter: but he changes it a little unwittingly, I think. Of course, his views may be accurate and mine otherwise, but I am speaking of the subject from my standpoint.

The French case furnishes an instance where our minister recognized a republic.

Mr. TELLER. No, a provisional government. It was not a republic then, but became a republic afterward.

Mr. WHITE of California. It was a pretty good republic then, as the Senator will perceive if he will read the whole of the message from which he has quoted, and a republic erected under circumstances widely different from those attending the formation of the Dole organization. Our minister recognized it not because he had any power to do, but merely as a suggestion to our Executive, and Mr. Buchanan's recital is plainly and clearly in ratification of his act. The minister had no power to recognize. If the home Government had not seen fit to ratify, his act would have been utterly nugatory from its inception. There was no authority of the sort vested in him. I said before, and repeat now, that when a change of Government occurs there is nothing to inhibit a minister making his recommendation, and in so acting then and there as to protect the interest of his countrymen then and there, he is always taking the chance of ratification. He acts, in diplomatic phrase, "in the hope of ratification." I have never said anything else, and the Senator's argument, as I said before, in no manner detracts from what I have uttered. In the French instance the minister's conduct and anticipations were justified by the facts. It was otherwise with Mr. Stevens.

I am complaining of Mr. Stevens, not merely because he assumed to treat a new organization as a government, but because his conduct, taking it in view of what occurred, was wholly without warrant. My complaint is based upon the proposition that he recognized that as a *de facto* government which was no government at all, and that his recognition was simply an approval of that which he had done himself. "I am proud of my work" was the proper construction of his message of recognition.

I have further criticised him for raising up our flag and assuming that sovereignty which his superiors plainly told him subsequently he had no right to do.

I further repeat that the question of the integrity of a governor, of a queen or a king, or the enlightened, virtuous, or stable character of everyone connected with a recognized power or the want of these traits do not alter the duty of a minister to treat those as friendly whom his country declares to be so. He can not recognize a government unless the law warrants him in doing so. He is not empowered to select rulers for other peoples.

We are glad to note the spread of democratic ideas. It is true, as the Senator has said, that we always hail with satisfaction the establishment of a republic, and we look with regret

upon monarchical success, but nothing will absolve our diplomatic officer from doing his duty as a straightforward and sincere man.

I know, and I trust the Senator is aware of the fact that I know, that our minister owes no fealty to a foreign potentate. I have never so intimated. I understand this, but when that minister enters into the presence of a foreign potentate as our envoy, represented to be trustworthy, and worthy of confidence and regard, it is his obligation to be decent and to let conspiracies and conspirators—whether right or wrong—severely alone. If Mr. Stevens seized a book and threw it at the head of the Queen when he first appeared before her, it might emphasize the fact that he believed as does the Senator from Colorado, but it would not be proper. In his contact with a foreign court the minister must deport himself as a gentleman, not only in private intercourse, but also in his diplomatic relations, and by that phrase I mean not merely his manner of address, but his entire conduct. This he must do out of respect for his own countrymen.

As Mr. Stevens came to Queen Liliuokalani with the letter of credence already mentioned, directed to her as the "great and good friend" of the President of the United States, as long as he bore that assurance of our Government's regard, declaring him to be worthy of the Queen's confidence, and used it to gain admission to her presence and her home, it was at least his province as an American, not because he owed fealty to her, but because he owed fealty here, to abstain from the commission of acts hostile to her and her people. He should have acted toward her as he would have acted toward any other monarch, or any other power whether great or small, strong or weak, both publicly and in private. His character as a minister should have absorbed his personality.

